

West Lafayette Police Department

Policy Manual

LAW ENFORCEMENT CODE OF ETHICS

As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation and the peaceful against abuse or disorder; and to respect the constitutional rights of all to liberty, equality and justice.

I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed both in my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or abuse and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession . . . law enforcement.

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VISION, MISSION, GOALS & OBJECTIVES

I. Purpose: This order establishes the goals and objectives for the West Lafayette Police Department.

II. Policy: All department personnel, sworn and non-sworn, will strive individually and as a team to achieve the goals and objectives established.

III. The Order:

A. Values

1. The West Lafayette Police Department has been entrusted with duties and responsibilities to preserve, protect and defend people and property and maintain social order. This public trust mandates that all members exemplify the highest standard of conduct both on and off duty.
2. Department members shall uphold all laws and function in an ethical, courteous, impartial and professional manner while respecting the rights and dignity of all persons.

B. Vision

1. To uphold the Constitution of the State of Indiana and the United States of America with professional excellence through talented, educated and professional officers and civilian staff who demonstrate the highest standards of performance, best practices in policing, and accountability while reflecting the values of the supportive city it serves.

C. Mission

1. WLPD is committed to do our best and remain flexible as we provide professional law enforcement services in a manner that is fair, courteous, and impartial.

D. Goals

1. The West Lafayette Police Department shall:
 - a) Maintain the highest standards of professional excellence.
 - b) Deter criminal activity and seek, detect, and arrest offenders of the law.
 - c) Enhance traffic safety, deter motor vehicle crashes, and enforce the Indiana State Vehicle Code, and West Lafayette City Ordinances.
 - d) Maximize compliance with state laws and city ordinances.
 - e) Provide support services to meet law enforcement and emergency needs.
 - f) Provide 24-hour services to people within the City of West Lafayette.
 - g) Provide the expertise and resources to educate the public in life safety and crime prevention.

E. Philosophy of Leadership

Vision, Mission, Goals & Objectives

1. The philosophy of the department is to create an organizational environment in which our mission is realized through excellence in leadership. This environment is created through implementing our mission statement in the following manner:

- a) A positive attitude and a desire for action-Optimistic commitment to our mission and goals which is demonstrated by constantly searching for opportunities to improve the department.
- b) Hands-on-leadership-Remaining close to the essential activities of the agency and to the people who perform them.
- c) Professionalism and dedication-Providing reinforcement and support to those individuals who offer contributions to a work environment that reflects dedication to departmental values.

F. Coordination

1. Our leaders serve the department when they create an enthusiastic and dedicated commitment within their fellow employees toward accomplishing our mission through:

- a) Success through people-Promoting the desire in all departmental members to put forth their best effort by recognizing and celebrating their individual contributions.
- b) Synergism of action-Recognizing that more can be accomplished when individual actions are taken cooperatively rather than separately.

G. Delivery

1. The primary responsibility of our leaders is providing law enforcement and support services to the people they serve through:

- a) Quality of service-Acknowledging the needs of those we serve and demonstrating a willingness to be of service.
- b) Commitment to responsibility-Ensuring that all members of the department understand the importance of their individual roles to the accomplishment of the department's mission.

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Chapter 1 - Law Enforcement Role and Authority

Law Enforcement Authority

100.1 PURPOSE AND SCOPE

The purpose of this policy is to affirm the authority of the members of the West Lafayette Police Department to perform their functions based on established legal authority.

100.2 POLICY

It is the policy of the West Lafayette Police Department to limit its members to only exercise the authority granted to them by law.

While this department recognizes the power of peace officers to make arrests and take other enforcement action, officers are encouraged to use sound discretion in the enforcement of the law. This department does not tolerate abuse of law enforcement authority

100.3 LAW ENFORCEMENT OFFICER POWERS

Sworn members of this department are authorized to exercise peace officer powers pursuant to applicable state law.

100.3.1 ARREST AUTHORITY WITHIN THE JURISDICTION OF THE WEST LAFAYETTE POLICE DEPARTMENT

The arrest authority of officers within the jurisdiction of the West Lafayette Police Department includes (I.C. § 35-33-1-1):

- (a) In compliance with an arrest warrant.
 - 1. The arresting officer shall take steps to have the arrestee delivered to the sheriff of the applicable county (I.C. § 35-33-2-3).
- (b) When there is probable cause to believe a misdemeanor is being committed or attempted in the officer's presence.
- (c) When there is probable cause to believe that the offender has committed or is attempting to commit a felony
- (d) When there is probable cause to believe that the offender has committed:
 - (a) A violation of the duties of a motorist involved in a motor vehicle accident.
 - (b) A violation involving operating a vehicle while intoxicated.
 - (c) A battery resulting in bodily injury.
 - (d) Domestic battery.
 - (e) An invasion of privacy.
 - (f) A violation of a no-contact order with a child or member of a foster family home.
 - (g) A violation relating to unlawful carrying of a handgun or a violation relating to a counterfeit handgun license.
 - (h) A violation of the terms of the offender's probation.

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- (i) A violation pertaining to the undisclosed transport of a dangerous device.
- (j) An offense where the individual interfered with the reporting of any crime (including domestic or family violence), calling 9-1-1, or obtaining medical assistance.
- (k) A theft.
- (l) And been indicted or convicted of one or more of the aggravated felonies in 8 USC 1101 (a)(43).

100.4 INTERSTATE PEACE OFFICER POWERS

Peace officer powers may be extended to other states:

- (a) As applicable under interstate compacts, memorandums of understanding, or mutual aid agreements in compliance with the laws of each state.
- (b) When an officer enters Michigan or Ohio in fresh pursuit of a felony suspect (MCL 780.101 (Michigan)); ORC § 2935.30 (Ohio)); or enters Illinois in fresh pursuit of a suspect who has committed a felony or misdemeanor offense (725 ILCS 5/107-4 (Illinois)).

Whenever an officer makes an arrest in another state, the officer shall take the offender to a magistrate or judge in the county where the arrest occurred as soon as practicable (MCL 780.102; ORC § 2935.31; 725 ILCS 5/107-4).

100.5 CONSTITUTIONAL REQUIREMENTS

All members shall observe and comply with every person's clearly established rights under the United States and Indiana constitutions.

100.6 ARREST AUTHORITY FOR MOTOR VEHICLE VIOLATIONS

Officers may arrest or issue a traffic information and summons to a person when (I.C. § 9-30-2-2):

- (a) The officer is in uniform with a badge displayed or operating a clearly marked police vehicle.
- (b) The officer is in an unmarked vehicle, and:
 - 1. There is a uniformed officer present, or
 - 2. The arrest or citation is for violation of:
 - (a) Reckless endangerment under I.C. § 9-21-8-52(a)(1)(A).
 - (b) Recklessly passing a school bus causing injury or death under I.C. § 9-21-8-52(b).
 - (c) Operating a motor vehicle while intoxicated in a manner endangering a person under I.C. § 9-30-5-2(b).

Chief Executive Officer

101.1 PURPOSE AND SCOPE

All law enforcement Chief Executive Officers employed within the State of Indiana are required to meet specific requirements for appointment. This policy provides guidelines for the appointment of the Chief Executive Officer of the West Lafayette Police Department, who is required to exercise the powers and duties of the office as prescribed by state law.

101.2 POLICY

It is the policy of the West Lafayette Police Department that the Chief of Police meets the minimum standards for exercising his/her authority granted by law.

101.3 CHIEF OF POLICE REQUIREMENTS

The Chief of Police of this department, as a condition of continued employment, shall:

- (a) Be certified by the Indiana Law Enforcement Training Board (I.C. § 5-2-1-1, et. seq.).
- (b) Apply for admission to the executive training program within two months of initially taking office (I.C. § 5-2-1-9).
- (c) Meet the requirements of I.C. § 5-2-1-9 within six months of assuming office unless an extension is granted by the Indiana Law Enforcement Training Board (250 I.A.C. 2-5-1).

Oath of Office

102.1 PURPOSE AND SCOPE

This policy adopts an Oath of Office for sworn officers.

102.2 POLICY

It is the policy of the West Lafayette Police Department that sworn members affirm the oath of their office as an expression of commitment to the constitutional rights of those served by the Department and the dedication of its members to their duties.

102.3 OATH OF OFFICE

All department members, when appropriate, shall take and subscribe to the oaths or affirmations applicable to their position (I.C. § 5-4-1-1; Ind. Const. Art. 15 § 4).

102.3.1 PROCEDURES

A. All sworn officers shall be administered an Oath of Office and a Law Enforcement Code of Ethics by the City Clerk and or Mayor, or designee prior to assuming any Law Enforcement authority or responsibility.

B. Officers shall swear or affirm to the Oath of Office verbally and by signing a written facsimile, which will be placed in the officer's personnel file. Officers shall swear or affirm to the Law Enforcement Code of Ethics by reading and signing a written facsimile, which will be placed in the officer's personnel file.

C. The Mayor and City Clerk or designee shall countersign as the officials administering the Oath of Office. Two officers of the department shall sign as witnesses for the Law Enforcement Code of Ethics.

D. The Oath of Office: [See attachment: Police Officer Oath of Office.pdf](#)

102.4 MAINTENANCE OF RECORDS

The oath of office shall be filed as prescribed by law (I.C. § 5-4-1-4; I.C. § 5-4-1-5.1).

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103.1 PURPOSE AND SCOPE

The manual of the West Lafayette Police Department is hereby established and shall be referred to as the Policy Manual or the manual. The manual is a statement of the current policies, procedures, rules and guidelines of this department. All members are to conform to the provisions of this manual.

All prior and existing manuals, orders and regulations that are in conflict with this manual are rescinded, except to the extent that portions of existing manuals, orders and other regulations that have not been included herein shall remain in effect where they do not conflict with the provisions of this manual.

103.2 POLICY

Except where otherwise expressly stated, the provisions of this manual shall be considered as guidelines. It is recognized that the work of law enforcement is not always predictable and that circumstances may arise that warrant departure from these guidelines. It is the intent of this manual to be viewed from an objective standard, taking into consideration the sound discretion entrusted to members of this department under the circumstances reasonably available at the time of any incident.

103.2.1 DISCLAIMER

The provisions contained in the Policy Manual are not intended to create an employment contract nor any employment rights or entitlements. The policies contained within this manual are for the internal use of the West Lafayette Police Department and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the City, its officials or members. Violations of any provision of any policy contained within this manual shall only form the basis for administrative action, training or discipline. The West Lafayette Police Department reserves the right to revise any policy content, in whole or in part.

These policies and procedures are an extension of the City Employee Handbook. For sworn police employees, the employee handbook will apply to any situation that is not covered in this manual. Civilian employees of the police department are regulated directly by the City Employee manual, except for those items specific to the operation of the police department.

Policies and procedures found to be in violation of or conflict with federal law or state statute shall be declared null and void.

103.3 AUTHORITY

The Chief of Police shall be considered the ultimate authority for the content and adoption of the provisions of this manual and shall ensure compliance with all applicable federal, state and local laws. The Chief of Police or the authorized designee is authorized to issue Departmental Directives, which shall modify those provisions of the manual to which they pertain. Departmental

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Directives shall remain in effect until such time as they may be permanently incorporated into the manual.

103.4 DEFINITIONS

The following words and terms shall have these assigned meanings throughout the Policy Manual, unless it is apparent from the content that they have a different meaning:

Adult - Any person 18 years of age or older.

City - The City of West Lafayette.

Civilian - Employees and volunteers who are not certified law enforcement officers.

Department/WLPD - The West Lafayette Police Department.

Employee - Any person employed by the Department.

ILEA - Indiana Law Enforcement Academy.

Manual - The West Lafayette Police Department Policy Manual.

May - Indicates a permissive, discretionary or conditional action.

Member - Any person employed or appointed by the West Lafayette Police Department, including:

- Full- and part-time employees
- Certified law enforcement officers
- Reserve, auxiliary officers
- Civilian employees
- Volunteers.

Minor - Any individual under the age of 18 years (I.C. § 35-49-1-4).

Officer - Those employees, regardless of rank, who are certified law enforcement officers of the West Lafayette Police Department (I.C. § 5-2-1-2).

On-duty - A member's status during the period when he/she is actually engaged in the performance of his/her assigned duties.

Order - A written or verbal instruction issued by a superior.

Policy statement - A declaration of position by the Department on a particular topic, intended to guide the actions of members.

Rank - The title of the classification held by an officer.

Shall or will - Indicates a mandatory action.

Should - Indicates a generally required or expected action, absent a rational basis for failing to conform.

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Supervisor - A person in a position of authority that may include responsibility for hiring, transfer, suspension, promotion, discharge, assignment, reward or discipline of other department members, directing the work of other members or having the authority to adjust grievances. The supervisory exercise of authority may not be merely routine or clerical in nature but requires the use of independent judgment.

The term "supervisor" may also include any person (e.g., officer-in-charge, lead or senior worker) given responsibility for the direction of the work of others without regard to a formal job, title, rank or compensation.

When there is only one department member on-duty, that person may also be the supervisor, except when circumstances reasonably require the notification or involvement of the member's off-duty supervisor or an on-call supervisor.

103.5 ISSUING THE POLICY MANUAL

An electronic version of the Policy Manual will be made available to all members on the department network for viewing and printing. No changes shall be made to the manual without authorization from the Chief of Police or the authorized designee.

Each member shall acknowledge that he/she has been provided access to and has had the opportunity to review the Policy Manual and Departmental Directives. Members shall seek clarification as needed from an appropriate supervisor for any provisions that they do not fully understand.

103.6 PERIODIC REVIEW OF THE POLICY MANUAL

The Chief of Police will ensure that the Policy Manual is periodically reviewed and updated as necessary.

103.7 REVISIONS TO POLICIES

All revisions to the Policy Manual will be provided to each member on or before the date the policy becomes effective. Each member will be required to acknowledge that he/she has reviewed the revisions and shall seek clarification from an appropriate supervisor as needed.

Members are responsible for keeping abreast of all Policy Manual revisions.

Each Commander will ensure that members under his/her command are aware of any Policy Manual revision.

All department members suggesting revision of the contents of the Policy Manual shall forward their written suggestions to their Commanders, who will consider the recommendations and forward them to the command staff as appropriate.

103.8 RETENTION AND ARCHIVE OF THE POLICY MANUAL

All department policies shall be retained in accordance with local and state retention requirements. Department policies shall be archived in the Lexipol Knowledge Management System (KMS). KMS automatically archives all department policies.

Geographical and Jurisdictional Boundaries/ Inter-Local Agreements

104.1 GEOGRAPHICAL AND JURISDICTIONAL BOUNDARIES/INTER-LOCAL AGREEMENTS

I. Purpose: The purpose of this policy is to provide the citizens of West Lafayette, Lafayette and Tippecanoe County with the best possible Law Enforcement protection and service.

II. Policy: In order to provide the best possible Law Enforcement protection and services to the citizens in all of Tippecanoe County, the area agencies have defined Geographical and Jurisdictional Boundaries, and have entered into a variety of Inter-Local Agreements regarding Law Enforcement Activities and Public Safety Issues.

III. The Order: See subsections regarding specific orders

104.2 GEOGRAPHICAL AND JURISDICTIONAL BOUNDARIES

I. Purpose: This order establishes authority and responsibility for maintaining and updating boundary, jurisdictional, zone, grid, and reporting area maps and computer geographical files of this municipality as they affect this agency.

II. Policy: This agency recognizes that jurisdictional problems will arise, due to the inherent problem of unassimilated residential, business and vacant land pockets not in this agency's jurisdiction that are completely within or protrude into the city corporate limits, and shall endeavor to guide officers and employees in all jurisdictional matters.

III. The Order:

A. The City of West Lafayette:

1. Encompasses approximately a 13.59 square mile area.
2. It is approximately 6 miles north to south and 3 miles east to west.
3. Bordered on the:
 - a) East by the Wabash River and unincorporated Tippecanoe County.
 - b) South by unincorporated Tippecanoe County.
 - c) West by unincorporated Tippecanoe County.
 - d) North by unincorporated Tippecanoe County.

B. Addendum to jurisdictional boundary maps, as land parcels that were previously county pockets are assimilated, may be issued in the form of:

1. Intra-department memoranda
2. Appended segment maps

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Geographical and Jurisdictional Boundaries/Inter-Local Agreements

C. All divisions and appropriate sections shall maintain up to date maps with applicable attachments described in Section B of this order.

D. All supervisors shall be aware of and knowledgeable of the jurisdictional boundaries of this municipality.

E. Agency personnel shall:

1. Be aware of the location of updated wall maps within the agency.
2. Consult available maps and obtain supervisory direction when jurisdictional problems arise.

[See attachment: 2023 Jurisdictional MOU Between WLPD and PUPD.pdf](#)

104.3 CONCURRENT JURISDICTION: RESPONSIBILITY

I. Purpose: This order establishes procedures and set guidelines for authority and responsibility in concurrent jurisdictional situations.

II. Policy: This department realizes that many Indiana Law Enforcement Agencies have concurrent jurisdiction established by law and therefore shall endeavor to avoid problems between agencies by directing officers whenever possible in the law enforcement effort.

III. The Order:

A. Officers of this department shall be aware that Federal, State and County Agencies established by law have jurisdictional authority concurrent with their own.

B. Agencies that have concurrent jurisdiction with this department and may perform law enforcement efforts therein are:

1. All Agencies including:
 - a) The Indiana State Police, Indiana State Excise Police, State and Conservation Officers.
 - (1) All areas of the County which this Municipality is part of.
 - (2) The Indiana State Excise Police (Liquor Violations).
 - b) All Federal Law Enforcement Agencies.
 - c) The Tippecanoe County Sheriff's Department.
 - (1) All areas of the County which this municipality is part of.
 - d) The Purdue University Police Department.
 - (1) Areas adjacent to Purdue University Campus.
 - e) Other Municipal or County Law Enforcement Agencies involved in hot pursuit and thereby covered under Indiana Statute.

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Geographical and Jurisdictional Boundaries/Inter-Local Agreements

C. Supervisors of this department shall be familiar with the responsibilities of this agency and with mutual aid agreements currently in force.

104.4 CITY MAP

West Lafayette City Map with Patrol Districts: [See attachment: City Map.pdf](#)

Code of Ethics

105.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that all members are aware of their individual responsibilities to maintain their integrity and that of the West Lafayette Police Department at all times.

105.2 POLICY

The Law Enforcement Code of Ethics shall be administered to all peace officer trainees during the Basic Academy course and to all other officers at the time of appointment.

The Civilian Member Code of Ethics shall be administered to all members at the time of appointment or hire.

105.3 LAW ENFORCEMENT CODE OF ETHICS

AS A LAW ENFORCEMENT OFFICER, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation and the peaceful against abuse or disorder; and to respect the constitutional rights of all to liberty, equality and justice.

I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed both in my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or abuse and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession... law enforcement.

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Code of Ethics

105.3.1 OBJECTION TO RELIGIOUS AFFIRMATION

Reference to religious affirmation in the Law Enforcement Code of Ethics may be omitted where objected to by the officer.

105.4 CIVILIAN CODE OF ETHICS

AS A CIVILIAN MEMBER, my fundamental duty is to serve the community; and to respect the constitutional rights of all to liberty, equality, and justice.

I WILL keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or to my agency. I will be honest in thought and deed both in my personal and official life. I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I WILL never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities, or friendships to influence my decisions.

I RECOGNIZE that my position is a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other employees. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice. I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence. I will constantly strive to achieve these objectives and ideals, dedicating myself to my chosen profession...public service.

Chapter 2 - Organization and Administration

Organizational Structure and Responsibility

200.1 PURPOSE AND SCOPE

This policy establishes the organizational structure of the Department and defines general responsibilities of department members.

200.2 POLICY

The West Lafayette Police Department will implement and maintain an organizational structure that provides clear and identifiable roles for command, control and guidance of the Department. Each position and assignment should have clearly identified responsibilities and a defined chain of command.

200.3 DIVISIONS

The Chief of Police is responsible for administering and managing the West Lafayette Police Department. There are three divisions in the department:

- Special Services Division
- Patrol Division
- Criminal Investigation Division

200.3.1 ORGANIZATIONAL CHART

The Chief of Police or the authorized designee is responsible for developing and updating a chart showing the organizational components and functions. The chart should be reviewed at least annually. The chart may be attached to this Policy Manual for distribution or may be posted in appropriate locations throughout the Department.

[See attachment: Organizational Chart.pdf](#)

200.3.2 SPECIAL SERVICES DIVISION

The Special Services Division is commanded by an assigned Captain, whose primary responsibility is to provide general management, direction and control for the Special Services Division. The Special Services Division consists of technical and administrative services.

200.3.3 PATROL DIVISION

The Patrol Division is commanded by an assigned Captain, whose primary responsibility is to provide general management, direction and control for the Patrol Division. The Patrol Division consists of uniformed patrol and special operations, which includes the Motorcycle Unit, and the Dispatch Center.

200.3.4 CRIMINAL INVESTIGATIVE DIVISION

The Criminal Investigative Division is commanded by an assigned Captain, whose primary responsibility is to provide general management, direction and control for the Criminal Investigative Division. The Criminal Investigative Division consists of the Criminal Investigation, Property and Evidence Section, crime analysis and forensic services.

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Organizational Structure and Responsibility

200.4 COMMAND PROTOCOL

200.4.1 SUCCESSION OF COMMAND

The Chief of Police exercises command over all members of the West Lafayette Police Department. During planned absences, the Chief of Police will designate a Commander to serve as the acting Chief of Police.

Except when designated as above, the order of command authority in the absence or unavailability of the Chief of Police is as follows:

- (a) Deputy Chief of Police
- (b) Patrol Commander
- (c) Special Services Division Commander
- (d) Criminal Investigation Commander
- (e) On-duty Shift Supervisor

200.4.2 UNITY OF COMMAND

The principles of unity of command ensure efficient supervision and control within the Department. Generally, each member shall be accountable to one supervisor at any time for a given assignment or responsibility. Except where specifically delegated authority may exist by policy or special assignment (e.g., Canine, Bicycle Patrol), any supervisor may temporarily direct any subordinate if an operational necessity exists.

200.4.3 GOALS AND OBJECTIVES

The Chief of Police or the authorized designee is responsible for establishing goals and objectives for the West Lafayette Police Department using a strategic planning process, and shall ensure the goals and objectives are reviewed and updated annually. Commanders are responsible for developing, reviewing and updating the elements of the plan that affect their Division. The strategic plan should specify a time period and should include, but is not limited to:

- Long-range goals and objectives.
- Anticipated workload and staffing needs.
- Capital improvement, equipment and supply needs.
- Provisions for implementation, measuring achievement and revision as needed.
- Annual evaluation of progress.
- Annual update of all goals and objectives.

200.5 AUTHORITY AND RESPONSIBILITIES

Each member will be assigned duties and responsibilities. Each member is delegated the authority necessary to effectively execute those responsibilities. Each member will also be held accountable for the appropriate application of that delegated authority.

Job Descriptions

201.1 CHIEF OF POLICE: POWERS AND AUTHORITY

I. Purpose: Establishes and defines responsibilities of the Chief of Police.

II. Policy: These responsibilities will be carried out by the Chief of Police. In the event the appointed Chief of Police is absent or unable to serve, the Deputy Chief of Police will serve as the "Acting Chief of Police" and carry out all duties assigned to the Chief.

III. The Order:

A. The Chief of Police, selected by the Mayor and appointed by the Board of Public Works and Safety, will serve as the commanding officer of the police department, subject to laws of the State of Indiana and the West Lafayette City Code.

B. The chief shall:

1. Administer the Police function of the City through consistent policies by the issuance of orders and direction to members of the department.
2. To the best of his/her ability, use department personnel and equipment to achieve the goals of the department in a most efficient manner.
3. Call upon any member of the department to assist or may delegate authority to individual members of the department for any legal task.
4. Have the power to suspend, temporarily, any employee of the department for violation of the rules and regulations, general orders, etc., of the department pending the investigation and the filing of charges of such alleged violations with the Police Merit Commission or the Board of Public Works and Safety.
5. Issue special orders, command directives, etc., required for situations, conditions, and or circumstances, as deemed appropriate.
6. Be responsible to formulate plans, set department objectives, develop and adopt general orders dealing with discipline, administration, equipment, and uniforms.
7. Maintain good public, employee, and official relations, establish high ethical standards for department personnel and exercise the vigilance necessary to sustain observance of these standards.
8. Establish a chain of command with well-defined channels of communications, authority, and responsibilities.
9. Administer and manage fiscal affairs in such a manner as to convert available resources into maximized Police service.
10. Prepare and present department budgets and provide for the general management of the department.

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Job Descriptions

201.2 CHIEF OF POLICE

I. Purpose: This order is to establish the Job Task Requirements for the position of Chief of Police.

II. Policy: Incumbent performs duties related to the administration and management of the West Lafayette Police Department. He/She serves as overseer of the daily operation of the department.

III. Functions:

A. Essential

1. Administers the budget and presents it to the council.
2. Serves as a Commanding Officer of the entire police department seeing to it that all laws of the State and all ordinances of the city are enforced in so far as it is possible.
3. Administers all property related to the operation of the police department.
4. Shall establish a chain of command with defined channels of communication, authority, and responsibility.
5. Responsible for planning, research, and development pertaining to police service to the community.
6. Reports departmental activities to the Mayor and Board of Public Safety.
7. Facilitates and maintains good public, employee, and office relations.
8. Establishes and maintains high ethical standards for all police personnel and exercises the vigilance necessary to sustain observance of these standards.
9. Sets department objectives, develops and adopts General Orders/Policy dealing with discipline, administration, equipment, and uniforms of the department's members.
10. Disseminates relevant information to the Mayor, keeping him/her informed regarding critical situations involving public safety and general community welfare.
11. Shall issue special orders, directives, etc. required for situation, conditions, and or circumstances, as he or she deems appropriate.
12. Shall attend meetings relevant to department operational matters, general public safety and public relations in the community.
13. Participates and holds membership in various police and non-police organizations that enhance professionalism, public safety, and community relations.
14. Shall serve as Vice President of the West Lafayette Police Pension Board.

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Job Descriptions

15. Reviews and approves all 28 day overtime and submits information to the Office Manager for payment.

B. Nonessential

1. Enforces the laws and assists with crisis intervention as needed.

IV. Qualifications:

A. Minimum

1. Must meet legal requirements as set by state law and department requirements.

B. Desired:

1. Possesses excellent interpersonal, written and oral communication skills.

2. Possesses excellent organizational skills.

3. The ability to actively participate in community activities.

V. Working Environment

A. Incumbent works normal hours, but has a great many after hour's meetings, and extended shifts.

B. Incumbent spends most of the day sitting in the office environment or attending meetings as required. Occasionally incumbent is outside and exposed to all weather conditions. He/She may also be exposed to moving parts, chemical and biological agents, gases, and fumes.

C. Casual and professional dress for general office work.

201.3 DEPUTY CHIEF OF POLICE

I. Purpose: This order establishes the Job Task Requirements for the position of Deputy Chief of Police.

II. Policy: Incumbent helps to administer the operation of the police department under the direction of the Chief.

III. Functions and Duties

A. Essential

1. Administer the operation of Police Department under the direction of the Chief of Police and Police Merit Commission.

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Job Descriptions

a) Directs, supervises, and evaluates Bureau Commanders and Division Commanders while assuring adherence to the mission of the West Lafayette Police Department.

b) Traffic Commander

(1) Serves as voting member for the West Lafayette Traffic Commission.

(a) Attends monthly meetings.

(b) Receives traffic complaints and forwards them to the Commission for review when appropriate.

(2) Serves as a "Check Point" agent for proposed traffic changes due to construction.

(3) Incumbent, or designee, serves as a voting member of the Tippecanoe County Technical Highway Committee.

(4) Serves as liaison, working in unison with the City Engineer and City Street Commissioner concerning traffic related issues.

(5) Supervises traffic related records and data, coordinate all serious crash investigations.

(6) Oversees the activities of, and determine when, the services of a Crash Reconstructionist are needed.

(7) Maintains a monthly accounting of crash data and division's activities.

(8) Coordinates activities with and keeps the Patrol Commander and Division advised of traffic concerns and needs.

(9) Commands special traffic details.

(10) Attend meetings and functions as directed by the Chief.

2. Grants

a) Is responsible for finding grants and awards as directed by the Chief of Police.

b) Maintains a record of all grants received by the department and completes reports as needed.

3. Recruiting and Hiring of new employees

a) Oversees the recruiting efforts of the department for all employment needs.

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Job Descriptions

b) Directs the appropriate employee members for testing and interviews of new employees.

4. Coordinates manpower assignments for overtime details and staffing for special events.

5.Coordinates cohesive working relationships and serves as the City's Ambassador with:

a) Employees of the Police Department.

b) Other city departments.

c) Area Public Safety Agencies.

d) The West Lafayette Community.

B.Nonessential:

1. Augment positions of the Police Department as dictated by need.

a) Directly supervises all police and civilian personnel.

b) Enforces the traffic, criminal, and other appropriate laws and regulations.

c) Responds to emergencies and employee crisis.

IV.Qualifications:

A.Minimum

1. Must meet legal requirements as set by state law and department requirements.

B.Desired

1. Candidates for the position of Deputy Chief of Police should possess:

a) Excellent interpersonal communication skills, written and oral.

b) Organizational abilities.

V.Working Environment:

A.Incumbent spends most of the day sitting in the general office environment.He/ She may be exposed to extreme weather conditions occasionally.Incumbent may be required to climb, balance, stoop, crouch, kneel, crawl, and do heavy lifting in emergency situations.These emergency situations may also expose incumbent to moving parts, electrical shock, burns, heights, explosives, chemical or biological agents, fumes, gases, and dust.

B.Incumbent works normal hours but is required to attend after hour meetings.He/She may also be subject to call-in or augment the department staff.

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Job Descriptions

C. Prescribed uniform or civilian attire is worn to work.

201.4 CAPTAIN OF SPECIAL SERVICES BUREAU

Purpose: This order establishes the Job Task Requirements for the position of Captain of Special Services Bureau.

II. Policy: Incumbent performs duties related to supervision of and assistance with the fleet and facilities maintenance and repair, records division, recruitment, administrative investigations, community outreach, training, IT infrastructure, volunteers, property and evidence as well as any other duties assigned by the Chief and Deputy Chief of Police. The position of Captain of Special Services is a Division Level Commander position, with supervisory responsibility. Assigned job tasks include, but are not limited to, those listed in Section III of this policy.

III. Functions and Duties:

A. Essential

1. Fleet Management/Maintenance:

a) Monitors the daily maintenance and repair of the department's fleet vehicles.

(1) Directly supervise and assist the Maintenance Technician; assure the Maintenance Technician is providing proper maintenance and repair of fleet vehicles, and assists as necessary

(2) Assure the Maintenance Technician maintains fleet records and maintenance schedules, evaluates performance of Maintenance Technician, completes observation reports as needed, completes semi-annual evaluations.

b) Prepares and maintains up-to-date minimum specification documents for fleet vehicles and related equipment necessary for bid/quote and purchase purposes.

c) Prepares annual fleet vehicle washing maintenance contract for the cleaning of the fleet vehicles.

d) Supervises and assists with the change-over/set-up of vehicles when new vehicles are added to the fleet or vehicles are moved around in the fleet

e) Assures the equipment issued to and operated by the Special Services Bureau, as well as other equipment given maintenance responsibility for, is properly maintained and cared for.

2. Facility Management/Maintenance:

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Job Descriptions

a) Monitors the daily maintenance and repair of the Police Department facility.

(1) Directly supervise and assist the Maintenance Technician; assure the Maintenance Technician is providing proper maintenance and repair of the Police Department facility, systems and equipment, and assists as necessary.

(2) Assure the Maintenance Technician maintains records and maintenance schedules for the facility, systems and equipment.

b) Prepares and maintains up-to-date minimum specification documents for systems and equipment as necessary for bid/quote and purchase purposes.

3. Records Division:

a) Manages the daily operation of the Data Management and Records Division.

b) Supervises and coordinates records division personnel

c) Maintains employee records, evaluate performance of assigned personnel, complete observation reports as needed, complete semi-annual evaluations.

d) Adequately staff all positions for assigned personnel.

e) Assure all police reports are properly processed and entered into the Records Management System "RMS" by Data Management personnel (assist when short of personnel, or if work load is heavy).

f) Observes for reports that contain arrests, assure they are copied, processed and delivered to the Tippecanoe County Prosecutor's Office.

g) Assure the Daily Bulletin has been copied and prepared for the Purdue Exponent, the Lafayette Leader, Purdue Dean of Students Office, WLPD/ CID, the Daily Bulletin Binder, and any other entitled requester.

h) Assist Data Management personnel with Records Division window traffic and scheduled fingerprinting appointments.

i) Verifies that all warrant information has been entered and/or updated in the "RMS" files, by the Computer Systems Manager, assist if needed.

j) Verifies that requests for copies of reports are handled in a proper and prompt manner.

k) Assures that Data Management personnel have delivered all City Court paperwork to the Clerk's Office and that dispositions received from City Court have been entered into "RMS".

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Job Descriptions

l) Coordinates preventative maintenance and makes sure any reported damaged or inoperable equipment is repaired or replaced. Coordinates building and equipment problems with the Chief of Police and City Engineer's Office.

m) Oversees preparation of the End of the Monthly report, maintain a copy for the department, forward copies to the Chief of Police, Mayor, Clerk, Treasurer, and Council Members.

n) Oversees the completion of the national FBI report

o) Provides the Deputy Chief with necessary information regarding statistics for special enforcement projects and grants.

p) Serves as a voting member on the Emergency Management Advisory Council.

4. Training

a.) Oversees all department training

b.) Oversees instructor certifications and reports hours of instruction as required.

5. Information Technology (IT)

a.) Oversees IT issues and works closely with the city IT department

b.) Oversees all IT related equipment issued by the department

c.) Oversees Body Worn Camera and In Car Camera systems

d.) Oversees Policy Implementation and Management systems

e.) Oversees RMS Management

f.) Oversees CAD Management

6. Administrative Investigations

a.) Conducts Administrative Investigations as directed by the Chief of Police.

7. Recruitment

8. Community Outreach

a. Attend community and neighborhood meetings as assigned

b. Coordinate resources for special events that are being held in the city

c. Build, foster and maintain relations with community members

9. Social Media

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Job Descriptions

- a. Promote the department through social media
- b. Monitor the departments social media for damaging or inappropriate content

10. DARE Program

- a. Manage the operations, daily schedule and assignments of the DARE Officer
- b. Manage the DARE Program to insure its continued success

11. Property and Evidence

- a. Manages the daily operations of property and evidence

12. Volunteers

- a. Manages the daily operations of all department volunteers

V. Qualifications:

A. Minimum

- 1. Must meet legal requirements as set forth by state law.
- 2. Possesses a basic knowledge of and a desire to learn the Records Management System, 800 MHz System, and the West Lafayette City Court procedures.
- 3. Have exhibited good leadership skills, a positive attitude, and performance exceeding the minimum expectations during the current and past evaluation periods, as evidenced by their evaluation reports.

V. Working Environment:

- A. Serves a one-year probationary period (regarding the position).
- B. Regular duty hours of Monday through Friday, 8:00 AM-4:00 PM, but periodic rescheduling and some overtime will occur.
- C. Required to monitor a department issued cell phone and be subjected to twenty-four hour on call.
- D. Prescribed uniform or civilian clothing is worn to work.

201.5 CAPTAIN OF PATROL

I. Purpose: This order establishes the Job Task Requirements for the position of Captain of Patrol.

II. Policy: Incumbent performs duties related to supervision of the Patrol Division and other related issues and duties as assigned by the Chief or Deputy Chief of Police. The position of Captain of Patrol is a Division Level Command position, with supervisory responsibility. Assigned tasks include, but are not limited to those listed in Section "III" of this policy.

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Job Descriptions

III. Functions and Duties

A. Essential

1. Patrol Division

- a) Directs, supervises, and evaluates all Patrol Shift Commanders while assuring adherence to the mission of the West Lafayette Police Department.
- b) Assists the Deputy Chief as assigned with event planning and the coordination of manpower.
- c) Reviews all information pertaining to the filing of charges from the Prosecutor's Office and submits those documents to the Records Division for filing.

2. Patrol Dispatch

- a) Directs, supervises, and evaluates the Head Patrol Dispatcher.
- b) Assists the Head Patrol Dispatcher with the schedules of all assigned personnel to include part-time employees.
- c) Reviews and approves all time books from dispatch personnel and submits for payment.

3. Neighborhood Resource Team

- a) Directs, supervises, and evaluates the Neighborhood Resource Team supervisor.
- b) Assist with ordinance and policy issues related to the enforcement of City Code, BOCA Code and other related regulations.
- c) Work with other city departments to find solutions to solve ordinance issues.

B. Nonessential

- 1. Augments positions within the patrol division as directed by the Chief of Police.
- 2. Attends community meetings and functions as the Patrol Commander.
- 3. Directs and oversees all grant funded patrol enforcement efforts.

IV. Qualifications:

A. Minimum

- 1. Must meet legal requirements as set forth by state law and Police Merit Commission.

V. Working Environment:

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Job Descriptions

A. Incumbent spends most of the day sitting in the general office environment. He/She may be exposed to extreme weather conditions occasionally. Incumbent may be required to climb, balance, stoop, crouch, kneel, crawl, and do heavy lifting in emergency situations.

B. Incumbent works normal hours, but is required to attend after hour meetings. He/She may also be subject to call-in to augment the department staff.

C. Prescribed uniform or civilian attire is worn to work.

201.6 CAPTAIN OF CRIMINAL INVESTIGATIONS

I. Purpose: This order establishes the Job Task Requirements for the position of Captain of Criminal Investigation Division.

II. Policy: Incumbent serves as supervisor of the Lieutenant and Sergeants of investigations, investigators, and the secretary. Incumbent serves under the direction of the Chief and Deputy Chief of Police.

III. Functions and Duties:

A. Essential

1. Receives, reviews, and evaluates daily police reports for determining appropriate investigatory follow-ups within the Police Department.
2. Assigns Criminal Investigators to conduct criminal investigations into police cases within the Criminal Investigation Division of the Police Department.
3. Organizes and supervises criminal investigations in the Criminal Investigations and Uniformed Police Officers Divisions of the Police Department to ensure compliance with Departmental policies, procedures, and standards, and State and Federal Laws.
4. Conducts crime scene investigations, locate, document, and preserve physical evidence.
5. Interviews and obtains statements for offenders, victims, and witnesses.
6. Acts as police liaison with organizations such as: Tippecanoe County Prosecutors Office, Tippecanoe County Juvenile Department, Tippecanoe County Probation Department, Narcotics Task Force, Secret Service, Federal Bureau of Investigation and other Local law Enforcement Agencies.
7. Organizes criminal cases for court trials, witness conferences, sentencings, and testifying in criminal and civil court trials.
8. Responsible for personnel assigned to the Drug Task Force.
9. Oversees department technicians and assures crime scenes are properly processed by Technicians.

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Job Descriptions

10. Conducts Internal Standards Reviews as directed by the Chief of Police.

B. Nonessential:

1. Attends Staff Officers meetings determining Departmental policies, procedures, and standards, within the Police Department.
2. Coordinates efforts and schedules of Departmental Investigators for special non-routine investigations.
3. Attends monthly "Signal 33" meetings at the Indiana State Police post.
4. Interviews and explains departmental policies, procedures, and standards to all other employees within the Criminal Investigation Division.

IV. Qualifications:

A. Minimum

1. Must meet legal requirements as set forth by state law and department standards.

B. Desired:

1. The ability to work flexible hours.
2. The ability to do several tasks at one time.
3. The ability to exercise the absolute highest degree of confidentiality.
4. Possess analytical qualities.

V. Working Environment:

A. Incumbent spends large parts of the day either standing or sitting in the office environment. Occasionally incumbent is required to be outdoors and thus be exposed to all weather conditions. He/She could be exposed to moving parts, electrical shock, heights, burns/radiation, explosives, chemical or biological agents, fumes, gases, and dust.

B. Civilian attire or uniform is to be worn to work.

C. Incumbent works normal hours, but is subject to call-in and may have to attend after hours meetings.

201.7 LIEUTENANT OF SPECIAL SERVICES BUREAU

I. Purpose: This order establishes the job task requirements for the position of Lieutenant of Special Services Bureau.

II. Policy: Incumbent reports directly to the Captain of Special Services Bureau and performs duties related to supervision of and assistance with the fleet, facilities maintenance, records division, recruitment, administrative investigations, community outreach, training, IT infrastructure, volunteers, property and evidence as well as any other duties assigned by the Chief and Deputy

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Job Descriptions

Chief of Police. Assigned job task include, but are not limited to, those listed in Section III of this policy.

III. Functions and Duties:

A. Essential

1. Fleet Management and Maintenance:

a) Monitors the daily maintenance and repair of the departments fleet of vehicles.

1) Directly supervises and assists the Maintenance Technician; assures the Maintenance Technician is providing proper maintenance and repair of the fleet of vehicles, and assists as necessary.

2) Assures the Maintenance Technician maintains fleet records and maintenance schedules, evaluates performance of Maintenance Technician, completes observation reports as needed and completes semi-annual evaluations.

a. Prepares and maintains up-to-date minimum specification documents for fleet vehicles and related equipment necessary for bid/quote and purchase purposes.

b. Prepares annual fleet vehicle washing maintenance contract for the cleaning of the fleet vehicles.

c. Supervises and assists with the change over/set up of vehicles when new vehicles are added to the fleet or vehicles are moved around in the fleet.

d. Assures the equipment issued to and operated by the Special Services Bureau, as well as other equipment given maintenance responsibility for, is properly maintained and cared for.

2. Facility Management and Maintenance:

a) Monitors the daily maintenance and repair of the Police Department facility.

(1) Directly supervise and assist the Maintenance Technician; assure the Maintenance Technician is providing proper maintenance and repair of the Police Department facility, systems and equipment, and assists as necessary.

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Job Descriptions

(2) Assure the Maintenance Technician maintains records and maintenance schedules for the facility, systems and equipment.

b) Prepares and maintains up-to-date minimum specification documents for systems and equipment as necessary for bid/quote and purchase purposes.

3. Records Division:

a) Manages the daily operation of the Data Management and Records Division.

b) Supervises and coordinates records division personnel

c) Maintains employee records, evaluates performance of assigned personnel, complete observation reports as needed, complete semi-annual evaluations.

c) Evaluate performance of assigned personnel, complete observation reports as needed, complete semi-annual evaluations.

d) Adequately staff all positions for assigned personnel.

e) Assure all police reports are properly processed and entered into the Records Management System "RMS" by Data Management personnel (assist when short of personnel, or if work load is heavy).

f) Observes for reports that contain arrests, assure they are copied, processed and delivered to the Tippecanoe County Prosecutor's Office.

g) Assure the Daily Bulletin has been copied and prepared for the Purdue Exponent, the Lafayette Leader, Purdue Dean of Students Office, WLPD/ CID, the Daily Bulletin Binder, and any other entitled requester.

h) Assist Data Management personnel with Records Division window traffic and scheduled fingerprinting appointments.

i) Verifies that all warrant information has been entered and/or updated in the "RMS" files, by the Computer Systems Manager, assist if needed.

j) Verifies that requests for copies of reports are handled in a proper and prompt manner.

k) Assures that Data Management personnel have delivered all City Court paperwork to the Clerk's Office and that dispositions received from City Court have been entered into "RMS".

l) Coordinates preventative maintenance and makes sure any reported damaged or inoperable equipment is repaired or replaced. Coordinates building and equipment problems with the Chief of Police and City Engineer's Office.

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m) Oversees preparation of the End of the Monthly report, maintain a copy for the department, forward copies to the Chief of Police, Mayor, Clerk, Treasurer, and Council Members.

n) Oversees the completion of the national FBI report

o) Provides the Deputy Chief with necessary information regarding statistics for special enforcement projects and grants.

4. Training

a.) Coordinates all department training

b.) Maintains instructor certifications and reports hours of instruction as required.

5. Information Technology (IT)

a.) Oversees IT issues and works closely with the city IT department

b.) Oversees all IT related equipment issued by the department

c.) Oversees Body Worn Camera and In Car Camera system

d.) Oversees Policy Implementation and Management systems

e.) Oversees RMS Management

f.) Oversees CAD Management

6. Administrative Investigations

a.) Conducts Administrative Investigations as directed by the Chief of Police.

7. Recruitment

8. Community Outreach

a. Attend community and neighborhood meetings as assigned

b. Coordinate resources for special events that are being held in the city

c. Build, foster and maintain relations with community members

9. Social Media

a. Promote the department through social media

b. Monitor the departments social media for damaging or inappropriate content

10. DARE Program

a. Manage the operations, daily schedule and assignments of the DARE Officer

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b. Manage the DARE Program to insure its continued success

11. Property and Evidence

a. Manages the daily operations of property and evidence

12. Volunteers

a. Manages the daily operations of all department volunteers

IV. Qualifications:

A. Minimum

1. Must meet legal requirements as set forth by state law.
2. Possesses a basic knowledge of and a desire to learn the Records Management System, 800 MHz System, and the West Lafayette City Court procedures.
3. Have exhibited good leadership skills, a positive attitude, and performance exceeding the minimum expectations during the current and past evaluation periods, as evidenced by their evaluation reports.

V. Working Environment:

- A. Serves a one-year probationary period (regarding the position).
- B. Regular duty hours of Monday through Friday, 8:00 AM-4:00 PM, but periodic rescheduling and some overtime will occur.
- C. Required to monitor a department issued cell phone and be subjected to twenty-four hour call-in.
- D. Prescribed uniform or civilian clothing is worn to work.

201.8 LIEUTENANT OF PATROL

I. Purpose: This order establishes the Job Task Requirements for the position of Lieutenant of Patrol.

II. Policy: Incumbent serves under the direction of the Chief and Deputy Chief of Police, and Captain of Patrol. He/She is responsible for the management of personnel. Incumbent also patrols areas of the city and oversees daily dispatch.

III. Functions and Duties:

A. Essential

1. Maintains shift logs/shift schedule for patrol officers.
2. Checks all police reports initiated throughout the shift.
3. Provides shift command.

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B. Nonessential

1. Fields complaints from the general public.

IV. Qualifications:

A. Minimum

1. Must meet legal requirements as set forth by state law and department standards.

V. Working Environment:

A. Incumbent spends most of his/her time in the office environment. He/She is usually sitting, but some time is spent standing or walking.

B. Incumbent works assigned shift. The shift time assigned may vary. He/She wears prescribed uniform to work.

201.9 LIEUTENANT OF CRIMINAL INVESTIGATIONS

I. Purpose: This order establishes the Job Task Requirements for the position of Lieutenant of Criminal Investigation Division.

II. Policy: Incumbent serves as supervisor of the sergeants of investigations, investigators, and the secretary. Incumbent serves under the direction of the Chief and Deputy Chief of Police.

III. Functions and Duties:

A. Essential

1. Receives, reviews, and evaluates daily police reports for determining appropriate investigatory follow-ups within the Police Department.
2. Assigns Criminal Investigators to conduct criminal investigations into police cases within the Criminal Investigation Division of the Police Department.
3. Organizes and supervises criminal investigations in the Criminal Investigations and Uniformed Police Officers Divisions of the Police Department to ensure compliance with Departmental policies, procedures, and standards, and State and Federal Laws.
4. Conducts crime scene investigations, locate, document, and preserve physical evidence.
5. Interviews and obtains statements for offenders, victims, and witnesses.
6. Acts as police liaison with organizations such as: Tippecanoe County Prosecutors Office, Tippecanoe County Juvenile Department, Tippecanoe County Probation Department, Narcotics Task Force, Secret Service, Federal Bureau of Investigation and other Local law Enforcement Agencies.

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7. Organizes Criminal Cases for Court Trials, Witness Conferences, Sentencing, and Testifying in Criminal and Civil Court Trials.
8. Responsible for personnel assigned to the Drug Task Force.
9. Assures crime scenes are properly processed by Technicians.
10. Conducts internal investigations as assigned by the Chief of Police.

B. Nonessential:

1. Attends Staff Officers meetings determining Departmental policies, procedures, and standards, within the Police Department.
2. Coordinates efforts and schedules of Departmental Investigators for special non-routine investigations.
3. Completes Departmental and City forms for Departmental Commanders on support and development of the Criminal Investigation Division.
4. Attends monthly "Signal 33" meetings at the Indiana State Police post.
5. Interviews and explains departmental policies, procedures, and standards to all other employees within the Criminal Investigation Division.
6. Coordinates Criminal Investigation Training and evaluation process daily observation reports on new Investigators, and forwards reports and evaluations to the Deputy Chief.
7. At the end of the pay period turns in work schedule books for CID personnel to the Captain of Special Services.

IV. Qualifications:

A. Minimum

1. Must meet legal requirements as set forth by state law and department standards.

B. Desired:

1. The ability to work flexible hours.
2. The ability to do several tasks at one time.
3. The ability to exercise the absolute highest degree of confidentiality.
4. Possess analytical qualities.

V. Working Environment:

- A. Incumbent spends large parts of the day either standing or sitting in the office environment. Occasionally incumbent is required to be outdoors and thus be exposed to all weather conditions. He/She could be exposed to moving parts, electrical shock,

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heights, burns/radiation, explosives, chemical or biological agents, fumes, gases, and dust.

B. Civilian attire or uniform is to be worn to work.

C. Incumbent works normal hours, but is subject to call-in and may have to attend after hours meetings.

201.10 SERGEANT OF SPECIAL SERVICES

I. Purpose: This order establishes the job task requirements for the position of Sergeant of Special Services Bureau.

II. Policy: Incumbent reports directly to the Captain of Special Services Bureau and performs duties related to supervision of and assistance with the fleet, facilities maintenance, records division, recruitment, administrative investigations, community outreach, training, IT infrastructure, volunteers, property and evidence as well as any other duties assigned by the Chief and Deputy Chief of Police.

III. Functions and Duties:

A. Essential

1. Fleet Management and Maintenance:

a) Monitors the daily maintenance and repair of the departments fleet of vehicles.

1) Supervises and assists the Maintenance Technician; assures the Maintenance Technician is providing proper maintenance and repair of the fleet of vehicles, and assists as necessary.

2) Assures the Maintenance Technician maintains fleet records and maintenance schedules, evaluates performance of Maintenance Technician, completes observation reports as needed and completes semi-annual evaluations.

a. Prepares and maintains up-to-date minimum specification documents for fleet vehicles and related equipment necessary for bid/quote and purchase purposes.

b. Prepares annual fleet vehicle washing maintenance contract for the cleaning of the fleet vehicles.

c. Supervises and assists with the change over/set up of vehicles when new vehicles are added to the fleet or vehicles are moved around in the fleet.

d. Assures the equipment issued to and operated by the Special Services Bureau, as well as other

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equipment given maintenance responsibility for, is properly maintained and cared for.

2. Facility Management and Maintenance:

a) Monitors the daily maintenance and repair of the Police Department facility.

(1) Supervises and assist the Maintenance Technician; assure the Maintenance Technician is providing proper maintenance and repair of the Police Department facility, systems and equipment, and assists as necessary.

(2) Assure the Maintenance Technician maintains records and maintenance schedules for the facility, systems and equipment.

b) Prepares and maintains up-to-date minimum specification documents for systems and equipment as necessary for bid/quote and purchase purposes.

3. Records Division:

a) Manages and oversees the daily operation of the Data Management and Records Division.

b) Supervises and coordinates records division personnel

c) Maintains employee records, evaluates performance of assigned personnel, complete observation reports as needed, complete semi-annual evaluations.

c) Evaluate performance of assigned personnel, complete observation reports as needed, complete semi-annual evaluations.

d) Adequately staff all positions for assigned personnel.

e) Assure all police reports are properly processed and entered into the Records Management System "RMS" by Data Management personnel (assist when short of personnel, or if work load is heavy).

f) Observes for reports that contain arrests, assure they are copied, processed and delivered to the Tippecanoe County Prosecutor's Office.

g) Assure the Daily Bulletin has been copied and prepared for the Purdue Exponent, the Lafayette Leader, Purdue Dean of Students Office, WLPD/CID, the Daily Bulletin Binder, and any other entitled requester.

h) Assist Data Management personnel with Records Division window traffic and scheduled fingerprinting appointments.

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- i) Verifies that all warrant information has been entered and/or updated in the "RMS" files, by the Computer Systems Manager, assist if needed.
- j) Verifies that requests for copies of reports are handled in a proper and prompt manner.
- k) Assures that Data Management personnel have delivered all City Court paperwork to the Clerk's Office and that dispositions received from City Court have been entered into "RMS".
- l) Coordinates preventative maintenance and makes sure any reported damaged or inoperable equipment is repaired or replaced. Coordinates building and equipment problems with the Chief of Police and City Engineer's Office.
- m) Oversees preparation of the End of the Monthly report, maintain a copy for the department, forward copies to the Chief of Police, Mayor, Clerk, Treasurer, and Council Members.
- n) Oversees the completion of the national FBI report
- o) Provides the Deputy Chief with necessary information regarding statistics for special enforcement projects and grants.

4. Training

- a.) Coordinates all department training and insure that employees receive all required training as set forth by Indiana Law.
- b. Keeps record of all department training and completes all reports as required by State Law and sends needed information to the Indiana Law Enforcement Academy.
- c.) Maintains instructor certifications and reports hours of instruction as required.
- d. Oversees the department training budget and maintains records of expenses in both the instruction accounts and the travel accounts for the department.
- e. Works closely with other Shift Commanders to coordinate the assigning of officers to training held outside of the department.
- f. Assist, as needed, with patrol issues or assignments when possible.

5. Information Technology (IT)

- a.) Oversees IT issues and works closely with the city IT department
- b.) Oversees all IT related equipment issued by the department
- c.) Oversees Body Worn Camera and In Car Camera system

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d.) Oversees Policy Implementation and Management systems

e.) Oversees RMS Management

f.) Oversees CAD Management

6. Administrative Investigations

a.) Conducts Administrative Investigations as directed by the Chief of Police.

7. Recruitment

8. Community Outreach

a. Attend community and neighborhood meetings as assigned

b. Coordinate resources for special events that are being held in the city

c. Build, foster and maintain relations with community members

9. Social Media

a. Promote the department through social media

b. Monitor the departments social media for damaging or inappropriate content

10. DARE Program

a. Manage the operations, daily schedule and assignments of the DARE Officer

b. Manage the DARE Program to insure its continued success

11. Property and Evidence

a. Manages the daily operations of property and evidence

12. Volunteers

a. Manages the daily operations of all department volunteers

IV. Qualifications:

A. Minimum

1. Must meet legal requirements as set forth by state law.

2. Possesses a basic knowledge of and a desire to learn the Records Management System, 800 MHz System, and the West Lafayette City Court procedures.

3. Have exhibited good leadership skills, a positive attitude, and performance exceeding the minimum expectations during the current and past evaluation periods, as evidenced by their evaluation reports.

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V. Working Environment:

- A. Serves a one-year probationary period (regarding the position).
- B. Regular duty hours of Monday through Friday, 8:00 AM-4:00 PM, but periodic rescheduling and some overtime will occur.
- C. Required to monitor a department issued cell phone and be subjected to twenty-four hour call-in.
- D. Prescribed uniform or civilian clothing is worn to work.

201.11 SERGEANT OF PATROL

I. Purpose: This is an order to establish Job Task Requirements for the position of Sergeant of Patrol.

II. Policy: Incumbent helps to run the daily operations in the Patrol Division. He/She also patrols areas of the city and oversees daily dispatch. Incumbent reports to the Shift Lieutenant.

III. Functions and Duties:

A. Essential

- 1. Runs and supervises daily shifts, makes shift assignments, and checks reports.
- 2. Patrols assigned area daily.
- 3. Coordinates assignments with other police departments on joint jurisdiction calls, crimes, and emergencies.
- 4. Oversees and ensures daily dispatch.
- 5. Trains new officers.
- 6. Keep books and evaluations of personnel on a continuing basis.

B. Nonessential

- 1. Fields complaints from public.

IV. Qualifications:

A. Minimum

- 1. Must meet legal requirements set forth by state law and department standards.

V. Working Environment:

- A. Incumbent spends large parts of the day in both the office environment and in the outdoor environment. He/She may be required to climb, balance, stoop, crouch, kneel, and crawl. In the outdoors environment, he/she could be exposed to all weather conditions, moving parts, electric shock, heights, burns, explosives, chemical and biological agents, fumes, gases, and dust.

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B. Prescribed uniform is worn to work.

201.12 SERGEANT OF CRIMINAL INVESTIGATIONS

I. Purpose: This order establishes Job Task Requirements for the position of Criminal Investigations Division Sergeant.

II. Policy: Incumbent assists the Criminal Investigation Division Lieutenant in running the daily operation of the Criminal Investigation Division. He/She also works with a variety of other agencies in order to help solve cases and prepares them for prosecution.

III. Functions:

A. Essential

1. Reading reports and preparing them for assignment.
2. Criminal investigations
 - a) Investigates cases.
 - b) Prepares cases for prosecution.
3. Prepares major cases for prosecution
 - a) Develops leads.
 - b) Prepares case files.
 - c) Manages the cases.
4. Testifies in court and holds conferences with witnesses.
5. Works with other agencies and prosecutors with cases.
6. Works with CPS.

B. Nonessential:

1. Attends special training schools.
2. Attends special meetings.
3. Reviews cases and maintains files.

IV. Qualifications:

A. Minimum

1. Must meet legal requirements set forth by state law and department standards

B. Desired:

1. Possesses analytical skills.
2. The ability to maintain the highest degree of confidentiality.
3. The ability to communicate effectively and tactfully in English.

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4. The ability to work with other agencies.

V. Working Environment:

- A. Incumbent spends most of the day sitting in the general office environment. He/She may be exposed to extreme weather conditions. Incumbent may be called upon to climb, balance, stoop, crouch, kneel, or crawl in an emergency situation. These emergencies may also expose incumbent to moving parts, electrical shock, heights, burns, explosives, chemical and biological agents, fumes, gases, and dust. Incumbent lifts 15-25 lbs. on a daily basis.
- B. Incumbent works normal hours, but may be subject to call-in.
- C. Prescribed uniform or civilian clothing is worn to work.

201.13 SERGEANT OF PATROL/TRAINING

I. Purpose: This is an order to establish the Job Task Requirements for the position of Sergeant of Patrol/Training.

II. Policy: Incumbent oversees the daily operations of the department training division and coordinates all in-house and external training for the department. Incumbent also works with the recruitment of new employees and all other assigned duties. Incumbent reports to the Captain of Operations.

III. Function and Duties:

A. Essential

1. Coordinates all department training to insure that employees receive all required training as set forth by Indiana Law.
2. Keeps record of all department training and completes all reports as required by State Law and sends needed information to the Indiana Law Enforcement Academy.
3. Oversees the department training budget and maintains records of expenses in both the instruction accounts and the travel accounts for the department.
4. Supervises the DARE Officer's day to day operations to include the keeping of time books and evaluations as required, and schedule when instructing DARE or working patrol.
5. Manage and coordinate all aspects of the School Crossing Guard program for the department.
6. Works closely with other Shift Commanders to coordinate the assigning of officers to training held outside of the department.
7. Assist, as needed, with patrol issues or assignments when possible.

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8. Attend meetings and coordinate resources for special events that are being held in the city.
9. Coordinate all activities of the FTO academy and the training of all new hires of the department.
10. Assist patrol as needed in emergencies as assigned.

B. Nonessential

1. Maintain a working relationship with the Indiana Law Enforcement Academy, Attorney General's Office, and other organizations that provide training for employees of the department.
2. Seek grants and other funding that can be used to support the training mission of the department.

IV. Qualifications

A. Minimum

1. Must meet all requirements set forth by department policy and state law.

V. Working Environment

- ##### A. Prescribed uniform is worn to work.

201.14 CRIMINAL INVESTIGATIONS DIVISION INVESTIGATOR/DETECTIVE

I. Purpose: This order establishes Job Task Requirements for the position of Criminal Investigations Division Investigator/Detective.

II. Policy: Incumbent helps with criminal investigations. He/She also works with a variety of other agencies in order to help solve cases and prepare them for prosecution. Incumbent serves under the direct supervision of the Lieutenant and Sergeant of the Criminal Investigation Division.

III. Functions:

A. Essential

1. Reading reports and preparing them for assignment.
2. Criminal investigations
 - a) Investigates cases.
 - b) Prepares cases for prosecution.
3. Prepares major cases for prosecution
 - a) Develops leads.
 - b) Prepares case files.
 - c) Manages the cases.

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4. Testifies in court and holds conferences with witnesses.
5. Works with other agencies and prosecutors with cases.
6. Works with CPS.

B. Nonessential:

1. Attends special training schools.
2. Attends special meetings.
3. Reviews cases and maintains files.

IV. Qualifications:

A. Minimum

1. Must meet the requirements of state law and department guidelines.

B. Desired:

1. Possesses analytical skills.
2. The ability to maintain the highest degree of confidentiality.
3. The ability to communicate effectively and tactfully in English.
4. The ability to work with other agencies.

V. Working Environment:

A. Incumbent spends most of the day sitting in the general office environment. He/She may be exposed to extreme weather conditions. Incumbent may be called upon to climb, balance, stoop, crouch, kneel, or crawl in an emergency situation. These emergencies may also expose incumbent to moving parts, electrical shock, heights, burns, explosives, chemical and biological agents, fumes, gases, and dust. Incumbent lifts 15-25 lbs. on a daily basis.

B. Incumbent works normal hours, but may be subject to call-in.

C. Prescribed uniform or civilian clothing is worn to work.

201.15 EVIDENCE TECHNICIAN

I. Purpose: This order establishes Job Task Requirements for the position of Evidence Technician.

II. Policy: The incumbent is responsible for a wide range of job responsibilities. They are involved in the technical aspects of crime scene and photo work, and may assist with property room management. Incumbent, while performing Technician duties, works under the general direction of the Criminal Investigation Division Supervisor.

III. Functions and Duties:

A. Essential

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1. Crime Scene Technical

- a) Video records and photographs crime scenes and evidence.
- b) Logs and maps property at crime scenes.
- c) Collects evidence.
- d) Dusts for and lifts latent fingerprints from crime scenes.
- e) Lifts semen, blood, and hair evidence from crime scenes.
- f) Maintains crime scene equipment.
- g) Orders and replaces consumable crime scene equipment.

2. Photo Technical

- a) Oversees film development, logs and stores video, digital photographs, digital recordings, and photographs for future court purposes.
- b) Works with FBI lab (Indianapolis) and local labs to reproduce, enhance, or enlarge photographs, as well as slow down or take still photographs from videotapes and digital recordings for court purposes.
- c) Maintains evidence technician equipment as needed.
- d) Submits yearly evidence technician , budget requests to Criminal Investigations Division Supervisor.

IV. Qualifications:

A. Minimum

- 1. Must meet requirements of state law and department guidelines.
- 2.
- 3. A working knowledge in the operation of cameras and video equipment.
- 4. Computer competency and knowledge of Windows software.
- 5. A working knowledge of WLPD's property management system, evidence collection and documentation.

B. Desired:

- 1. Experience with photo and video equipment.
- 2. Experience with evidence collection.
- 3. Time management skills.
- 4. Work experience in any of the essential job responsibilities.

V. Working Environment

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A. Incumbent works normal assigned shift but is subject to after hour and weekend on call duty. Incumbent is also exposed to all types of weather conditions. Incumbent stands, sits, drives, walks, carries, pushes, and pulls. They may also have to climb, balance, stoop, crouch, kneel, and crawl. Incumbent is exposed to moving parts, heights, chemical and biological agents, fumes, and explosives.

B. Prescribed uniform or approved clothing is worn to work.

201.16 PATROL OFFICER

I. Purpose: This order establishes the Job Task Requirements for the position of Patrol Officer.

II. Policy: Incumbent performs duties related to law enforcement such as preventing crimes, investigating suspicious activity, apprehending violators, assisting persons in trouble, directing vehicular and pedestrian traffic and enforcing traffic laws. Incumbent serves under the direct supervision of a shift commander.

III. Functions and Duties:

A. Essential

1. Patrols assigned area on foot or drives vehicle searching for suspicious activity or situations, or checking for persons in need of service.
2. Monitors radio and other communications devices to receive assigned runs, and to maintain awareness of activities in assigned areas or by other officers.
3. Assists citizens with problems such as lost children, injured persons, animal bites, locked doors, etc.
4. Refers persons to appropriate social service agencies when situation warrants.
5. Responds to assigned run by driving, walking, or running to specified locations, assesses situation, determines need for other assistance, and takes appropriate action.
6. Removes persons from danger including carrying unconscious persons and provides emergency aid to injured persons.
7. Investigates accidents, extracts victims, provides emergency medical aid, gathers evidence, records observations and statements of witnesses and victim, requests assistance from other officers or agencies as needed, directs the removal of the vehicles involved, and ensures the area is clear.
8. Searches crime scenes, and takes prescribed actions to preserve and protect evidence, and records findings and observations.
9. Interviews victims, suspects, and witnesses, and records responses and observations.

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10. Pursues, apprehends, searches, and arrests suspects using only necessary force, advises suspects of rights, and transports suspect to detention area.
11. Restrains persons from physically striking or injuring others using appropriate force.
12. Drives vehicle at high speed when situation warrants due to nature of emergency pursuant to departmental policy.
13. Stops drivers of vehicles when traffic violations are observed, verifies license and registration data, advises driver of safe driving practices, and issues citation or makes arrest as warranted.
14. Directs vehicular and pedestrian traffic when congestion occurs or as directed.
15. Reports as directed to scenes of general emergencies, and takes appropriate action to protect life and property, such as directing traffic, quarantining area, assisting individuals in leaving area, preventing looting, and requesting appropriate assistance.
16. Maintains visibility in the community by meeting and talking with citizens, providing information, visiting local businesses, and making presentations to schools, neighborhoods, and civic organizations projecting positive, professional image as an ambassador for the City of West Lafayette.
17. Writes reports and completes forms as required by operating procedures, and makes oral reports to appropriate personnel. Testifies in court, and prepares for such testimony.
18. Properly maintains uniforms, equipment, and weapons pursuant to departmental policy.
19. Maintains cleanliness of all work areas and any other areas as assigned by Chief of Police.
20. Performs other related duties as required.

B. Nonessential:

IV. Qualifications:

A. Minimum

1. Extensive knowledge of law enforcement procedures and methods, criminal law procedures, and criminal traffic law.
2. Working knowledge of social service agencies, business, education, civic, and social organizations in assigned area.

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3. Working knowledge of emergency medical treatment procedures, and ability to apply those procedures safely to others.
4. Extensive knowledge of streets and alleys layout in assigned area, and working knowledge of street and highway layout in community and surrounding area.
5. The ability to operate a vehicle safely even at high speeds under less than ideal conditions or weather.
6. The ability to physically protect oneself, and restrain others.
7. The ability to use weapons accurately and safely.
8. The ability to use a two-way radio.
9. The ability to communicate with the public in situations which are highly emotional or hostile.
10. The ability to observe and report observations accurately and in detail.
11. The ability to establish rapport with individuals and groups of differing ages, races, and values.
12. The ability to appropriately respond to emergencies from off-duty status.
13. The knowledge of departmental rules and regulations, and departmental general orders.
14. Participates in training on law enforcement procedures, including firearms, criminal justice, and court procedure, and emergency medical aid, and related subjects.
15. Performs physical exercises to maintain physical condition.
16. Meet training requirements prescribed by Indiana Law.
17. Meet all requirements for employment as a Police Officer as prescribed by Indiana Law.
18. Possess a valid driver's license.
19. Must meet requirements as set forth by the West Lafayette Police Merit Commission.
20. Must maintain regular and predictable attendance.

B. Desired:

V. Working Environment

- A. Incumbent must be able to sit or stand for long periods, sometimes in extreme weather conditions. He/She is required to lift and carry unconscious people short distances. Incumbent is required to pursue suspects by running, climbing, forcing entry, scaling walls,

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jumping, and the ability to sustain such activity for long periods of time in situations of personal danger or danger to others.

B. Works a variety of shifts, including weekends and holidays, at the discretion of the Chief of Police. Incumbent is required to respond to emergencies from an off-duty status.

C. Prescribed uniform is worn to work.

Patrol Officer (Probationary) shall serve a one year probationary period regarding their position/employment.

Patrol Officer (1st class) must meet and exceed the job functions and qualifications of a Probationary Police Officer.

201.17 MOTORCYCLE OFFICER

I. Purpose: This order establishes the job task requirements for the position of Motorcycle Officer.

II. Policy: Incumbent reports directly to the Captain of Patrol and performs duties related to enforcement of traffic laws, assists with traffic control during special events, participates in Public Relations Events upon request, and attend meetings as requested by the Chief of Police or Deputy Chief of Police related to traffic and construction. This position will be highly-visible to the public on a department motorcycle as weather permits.

III. Functions and Duties:

A. Essential:

In addition to all functions and duties required of a Patrol Officer;

- (a) Motorcycle Officers will generally work Monday through Friday, 8-hour shifts.
- (b) When no other units are available or while filling in on shift, Motorcycle Officers will be assigned to take calls and/or back-up other officers. Motorcycle Officers will be considered "City Cars" when all primary district assignments are filled.
- (c) This position will be highly-visible to the public on the department motorcycle, weather permitting. The primary function during designated times of the day will be school zone enforcement.
- (d) Motorcycle Officers will be assigned a motorcycle and no other person shall be permitted to operate said motorcycle unless authorized by the Chief of Police or his designee.
- (e) Each Motorcycle Officer's assigned motorcycle will be kept in the garage area at the West Lafayette Police Department.
- (f) The Motorcycle Officer position requires safe operation of a motorcycle and daily inspections of equipment. Motorcycle Officers will be required to participate in annual skills training.

IV. Qualifications:

In addition to all qualifications required of a Patrol Officer;

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- (a) All Motorcycle Officers are required to have an Indiana motorcycle endorsement on their driver's license.
- (b) Motorcycle Officers shall be required to successfully complete an approved motor officer training course.
- (c)

V. Working Environment:

- (a) Incumbent must be able to sit or stand for long periods, sometimes in extreme weather conditions. Incumbent is required to lift and carry unconscious people short distances. Incumbent is required to pursue suspects by running, climbing, forcing entry, scaling walls, jumping, and the ability to sustain such activity for long periods of time in situations of personal danger or danger to others.
- (b) Works a variety of shifts, including weekends and holidays, at the discretion of the Chief of Police. Incumbent is required to respond to emergencies from an off-duty status.
- (c) Prescribed uniform is worn to work.
- (d) Motorcycle Officers will use their discretion when deciding to operate their motorcycle due to inclement weather.

VI. Motorcycle Officers will:

- (a) Properly gas, care for and maintain their assigned motorcycle
- (b) Keep their assigned motorcycle clean, and in good operating order
- (c) Wear all required safety equipment while riding assigned motorcycle including; helmet, gloves, glasses and/or shield and boots.

201.18 FLEET AND FACILITIES MANAGER

I. Purpose: This order establishes the Job Task Requirements for the position of the Fleet and Facilities Manager.

II. Policy: The incumbent is responsible for a wide range of job responsibilities. They oversee the general maintenance of the police department building and fleet vehicles. Incumbent works under the direction of the Captain of Special Services.

III. Functions and Duties:

A. Fleet Vehicle Management

1. Oversees all vehicle maintenance.
2. Work with local car dealership/repair shops to schedule warranty and non-warranty repairs, recalls, and normal maintenance.
3. Oversee bodywork repairs from accidents and non-accident related work with local body shops.

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4. File insurance claims. Supply necessary information to the City's insurance company for accidents when needed. Work with insurance companies on behalf of the officer as much as possible.
5. Oversee all fleet invoices for correct billing.
6. Order and maintain inventory on all tires, oil, batteries, etc. for fleet vehicles.
7. Oversee and complete the annual titling and registration/plating of new fleet vehicles.
8. Add and remove new and old vehicle coverage with city insurance carrier.
9. Manage department vehicle rotation.
10. Maintain maintenance records and copies of invoices on fleet vehicles.
11. Research and provide necessary budget information for the purchase of vehicles and vehicle equipment.
12. Make recommendations on department vehicle assignments/reassignments.
13. Troubleshoot, maintain and program all police equipment (light bar, cages, gun racks, radars, police radios, car camera system, console, computer mounts, laptop/tablet and other police lights.)
14. Work with outside vendor to sell surplus vehicle equipment.
15. File restitution paperwork with the County Courts.
16. Work with City IT department regarding computers/tablet for troubleshooting and/or upgrading.
17. Provide annual budget proposals and requests for oil, tires, equipment repairs, repair services and other equipment accounts.
18. Work with Officer Manager to monitor budget account balances throughout the fiscal year.
19. Maintain computerized records of all police equipment (fleet keys, police radios, light bars, radars, flashlights, laptops/tablets, Knox Box keys and garage passes) that are within the fleet. Make, model, serial number, and date of purchase.

B. Facility Management/Maintenance.

1. Oversee the daily function of the building and grounds.
2. Manage the HVAC System, both controls and mechanical.
 - a) Work with the controls company when needed.
 - b) Oversee building preventative maintenance (PM-Mechanical) and work with company if repairs are needed.

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c) Maintain manuals for Control and Mechanical.

3. Manage building fire system.

a) Oversee annual preventative maintenance (PM) on the fire system and work with company if repairs are needed.

b) Run fire alarm test twice a year.

4. Oversee that the building's backflows are tested annually and turned over to the local water company.

5. Oversee that the elevator is in good working order.

a) Maintain monthly fire service log which is required by the State of Indiana.

b) Oversee the preventative maintenance (PM).

6. Serves as the police department's ADA representative for the Cities ADA Board.

a) Maintain building ADA Compliance.

7. Ensure that the building security system is in good working order. (Integrator)

a) Enter and remove codes for access to building when necessary.

b) Download access information when necessary.

c) Maintain security system manuals.

8. Provide building keys when necessary and maintain key assignment record.

9. Maintain CAT Generator, making sure it is ready to run at any given time.

a) Work with companies for any repairs needed.

b) Oversee annual preventative maintenance. (PM)

c) Oversee weekly test of generator.

d) Run load test for 30 minutes or longer twice a year.

10. Stormwater Pollution Prevention Plan Team Manager.

a) Attend any necessary meetings regarding the SPPP.

11. Maintain Emergency Response Procedure manual for department.

12. Snow removal for facility during work hours, after hours and Holidays.

a) Plow parking lot and keep sidewalks clean from snow and ice.

b) Maintain snow removal equipment and supply.

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13. Provide annual budget proposals and request for equipment repairs and facility upgrades.

14. Maintain copies of records for facility repairs.

15. Provide minor electrical and plumbing needs when necessary.

C. Annual Vehicle Switch Over Management

1. Prepare/provide vehicle information (make, model, and options) for budget proposal and ordering purposes.

2. Prepare/provide emergency equipment information (light bar, cages, gun racks, radars, police radios, console, computer mounts, laptop/tablet and other police lights) needed for budget proposals and ordering purposes.

3. Oversee/assist with annual switch over with outfitters.

4. Provide training to officers when new equipment is installed in vehicles. (Radar units, light bars, police radio, etc.)

5. Work to get surplus vehicles ready for sale.

a) Work with designated vendor to sell surplus department vehicles.

D. Department Sign Boards

1. Maintain equipment in good working order.

2. Work with area repair shops for normal repairs.

3. Program messages when needed.

4. Oversee the deployment of sign boards.

5. Provide data on traffic information when needed.

E. Other Responsibilities

1. Collaborate with the City's Facilities Manager when necessary.

2. Order and maintain portable police radios, submitting budgetary information regarding radios and radio repair.

3. Complete miscellaneous minor jobs at the discretion of the Chief of Police or his designee.

4. Assist with traffic control when necessary. (Football traffic, Half marathon and other special events as needed)

5. Assist with carrying out special projects regarding the facility and equipment.

6. Maintains hand held radars, window tint meters, etc.

7. Maintain and order medical supplies for vehicles and building.

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8. Assist other city departments with vehicle needs.

201.19 OFFICE MANAGER

I. Purpose: This order establishes the Job Task Requirements for the position of Office Manager.

II. Policy: Incumbent serves under the general direction of the Chief and Deputy Chief of Police. He/She is responsible for answering calls and questions, bookkeeping, filing, and keeping the office organized and efficient.

III. Functions and Duties:

A. Essential

1. Typing

- a) Creates documents such as monthly reports, correspondence for both departmental and organizational personnel, minutes of meetings held.
- b) Creates forms for departmental use.

2. Bookkeeping

- a) Prepares claims, purchase orders, and transfers of funds.
- b) Enters data into the computer pertaining to claims processed for payment by the Clerk-Treasurer.
- c) Monitors budget balances.
- d) Prepares payroll for submission to the City Controller .

3. Answers the telephone and refers calls to proper personnel.

4. Prepares Workers' Compensation Claims submitted to the Human Resources Representative. Reports those claims to Workers' Compensation.

5. Maintains files, keeps confidential aspects of job information.

6. Performs other related duties as required.

B. Nonessential:

1. Faxing

2. Updates department rosters as needed.

IV. Qualifications:

A. Minimum

1. Must be 18 years of age or older.
2. Must type proficiently.
3. Must successfully pass a typing test with a minimum of 40 words per minute.

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4. The ability to keep confidential aspects of job information.
5. Must successfully pass a spelling and grammar test approved by the department.
6. Must possess the ability to communicate effectively.
7. Meets all requirements prescribed by Indiana Law.
8. Maintains regular and predictable attendance.

B. Desired:

1. The ability to maintain files, keep confidential aspects of job information.
2. General knowledge of office procedures.
3. The ability to get along and deal tactfully with others.
4. The ability to operate and function within a normal office environment.

V. Working Environment

- A. Incumbent spends 100% of the day in the office environment. He/She spends most of the day sitting, but some time is spent standing or walking.
- B. Incumbent works normal hours and must wear professional dress to work.

201.20 SYSTEM MANAGER

I. Purpose: This order establishes the Job Task Requirements for the position of System Manager.

II. Policy: Incumbent is responsible for managing the computer system and Records Division of the West Lafayette Police Department. He/She also helps to process departmental data. Incumbent works under the direct supervision of the Lieutenant of Special Services.

III. Functions

A. Essential

1. Processes and files daily case reports.
2. Assists individuals inquiring about accidents, court dates, fingerprints, record checks, etc. either by telephone or in person.
3. Processes the monthly FBI reports to include the year-end report.
4. Serves as trainer for the National Incident Based Reporting System (NIBRS) ensuring the department is compliant with federal requirements when submitting our law enforcement data.
5. Processes and maintains warrants and protective orders to include entering them into the records management system.

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6. Files all crash reports once they have completed the review process and transmits them to the State.
7. Serves as the Electronic Citation Warning System (eCWS) data manager.
8. Ensures every eCWS and handwritten ticket is attached to the proper case in the RMS system and information is correct before submitting to the state for processing.
9. Manages the Automated Reporting Information Exchange System (AIRES).
10. Ensures all crashes in West Lafayette are completed correctly and submitted to the State for processing.
11. Create and inspect the daily media log to confirm all information being released to the media is accurate and contains required information.
12. Processes monthly reports: Calls for Service, Tow reports, Juvenile Detention report, Officer activity.
13. Responsible for processing and issuing solicitor permits.
14. Processes gun permits and hate/bias crimes in ARIES quarterly
15. Processes filed/no filed cases from the Prosecutor's Office and expungement orders from the courts.
16. Acts as the department IDACS Coordinator.

B. Nonessential:

1. Orders office supplies when needed for the police department.
2. Makes ID badges for city employees.

IV. Qualifications:

A. Minimum

1. Must be 18 years of age or older.
2. Meets all requirements prescribed by Indiana Law.
3. The ability to maintain files, keep confidential aspects of job information.
4. Computer experience.
5. The ability to get along and deal tactfully with others.
6. Performs clerical functions according to standard office procedure.
7. The ability to operate and function within normal office environment.
8. The ability to communicate effectively.

V. Working Environment

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A. Incumbent works in the indoor office environment 100% of the day. Incumbent required to sit for long periods and concentrate intensely. They must also work in close quarters.

B. Incumbent works normal hours.

C. Casual and professional clothes are worn for work.

201.21 DATA PROCESSOR

I. Purpose: This order establishes the Job Task Requirements for the position of Data Processor.

II. Policy: Incumbent performs duties related to the entry of departmental data into computers. Incumbent also provides reports involving department data and produces police paperwork. Incumbent works under the direct supervision of the Lieutenant of Special Services.

III. Functions and Duties

A. Essential

1. Processes and files daily case reports.
2. Answers telephone to assist individuals inquiring about accident information, court dates, fingerprint appointments, etc.
3. Assists individuals requesting accident reports, general information, etc.
4. Processes the department mail and distributes to proper divisions.
5. Processing of warrants including entering them into the computer, updating continuously, and entering backgrounds.
6. Enters all traffic citations and warning tickets issued by the department into RMS on a daily basis.
7. Process payments for fingerprinting, VIN checks, mailed citation, crash reports, etc.
8. Agency lead for data input and processing within the T2 software system.
9. Enters handwritten citations, reviews/processes parking appeals, and schedules court dates for all upheld appeals.
10. Runs license plates on all unpaid parking citations to ensure all required information is correct in parking system.
11. Responsible for processing neighborhood parking permits.
12. Assist Lieutenant of Special Services in entering training data into the Acadis portal.
13. Processes all department Production of Documents Requests.
14. Responsible for tracking and processing false alarm notifications.
15. Processes handgun application permits.

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IV. Qualifications:

A. Minimum

1. The ability to maintain files, keep confidential aspects of job information.
2. Computer experience..
3. The ability to get along and deal tactfully with others.
4. Performs clerical functions.
5. The ability to operate and function within a normal office environment.
6. Must be 18 years of age or older.
7. Meets all requirements prescribed by Indiana Law.
8. The ability to communicate effectively.

V. Working Environment

- A. Incumbent works in the indoor office environment 100% of the day. Incumbent required to sit for long periods and concentrate intensely. They must also work in close quarters.
- B. Incumbent works normal department business hours.
- C. Casual and professional clothes are worn for work.

201.22 SCHOOL CROSSING GUARD

I. Purpose: This order establishes the Job Task Requirements for the position of School Crossing Guard.

II. Policy: The school crossing guard stops vehicular traffic to allow elementary school age children to safely cross the street in designated school zones. Hand gestures, verbal commands, and hand held signs will be used to control pedestrian and vehicular traffic. Moving into oncoming traffic and remaining in the intersection is required while the children are crossing the street. Also he/she reports safety concerns and violations to the West Lafayette Police Department.

III. Functions and Duties

- A. Essential (100% of time spent watching for children and assisting them in crossing the street)
 1. Must be able to perform without constant/direct supervision.
 2. Must be available to work split shifts (morning/afternoon).
 3. Must be able to communicate in English.
 4. Must have the visual ability to determine when approaching traffic may be safely stopped.

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5. Must have the physical mobility to effectively enter the street, signal traffic to stop, and remain there until the children safely cross.

6. Must be able to hold a portable stop sign and rotate it, so it may be seen from all four directions.

7. Must report for duty promptly at the assigned times.

B. Nonessential:

IV. Qualifications:

A. Minimum:

B. Desired:

V. Working Environment

A. He/She must be able to remain outside exposed to the elements for periods in excess of thirty minutes. He/She might be exposed to extreme conditions.

B. Must be able to cope with young children that may fail to follow direction.

201.23 CODE ENFORCEMENT SUPERVISOR

I. Purpose: This order establishes the Job Task Requirements for the position of Supervisor Code Enforcement Division.

II. Policy: The incumbent is responsible for overseeing the operations of the Community Services Division and the coordination of all services. He/She will be the lead investigator on over-occupancy issues and will provide support, as needed, on nuisance and other code issues. Incumbent will supervise and evaluate employees who work in Parking Enforcement, Animal Control/Court Bailiff and Nuisance Enforcement areas.

III. Function and Duties:

A. Essential

1. Maintains assigned employees schedule books and coordinates employees work schedules.

2. Completes assigned employees bi-annual performance evaluations and submits to the Patrol Commander for review.

3. Responsible for the investigation of over-occupancy. Duties include the intake, research and follow up of complaints of this nature using all resources available to investigate the complaint.

a. All complaints of this nature will be investigated and documented.

b. Once the investigation is complete, follow up with involved parties will be completed.

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4. Responsible for property inspections for nuisance violations. Duties include intake, investigation, and follow up of complaints of this nature. Consistent observation for issues of nuisance violations is required.

a. All violations of this nature will be investigated and documented.

b. Once the investigation is complete, follow up with involved parties will be completed.

5. Responsible for the investigation and documentation of other violations of city code that involve quality of life issues in the neighborhoods.

6. Neighborhood/Public Resource: Contact with neighborhood associations, tenants, landlords and the public on issues regarding over-occupancy, nuisances and housing complaints. Provides information on departmental actions to the public and complainants as necessary.

7. Responsible for the research, preparation of reports and letters, and the maintenance of files and databases as necessary for the completion of all essential job functions.

B. Nonessential:

1. Attend community meetings and provide information on neighborhood issues.

2. Assist in the other Code Enforcement activities as directed. Duties to include but not limited to planning, statistical analysis, and report preparation.

3. Assist in all division projects and tasks as may be assigned.

IV. Qualifications:

A. Minimum

1. Have management experience in personnel and operations.

2. Have basic knowledge of investigative practices and skills.

3. Working knowledge of occupancy and nuisance ordinances and city codes.

4. Meticulous attention to detail and the ability to prioritize task.

5. Computer competency in Windows and database management.

6. Demonstrates ability in written and oral communication.

7. Experience in dealing with the public and conflict resolution.

8. Must have a valid Indiana Driver's License.

V. Working Environment:

A. Incumbent works normal daytime hours, occasional after office hours work will be needed to attend meetings with neighborhood groups and other organizations.

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B. Employee will wear the approved uniform during business hours.

C. Exposure to extreme hot and cold temperatures may occur due to the nature of the code enforcement process.

201.24 NEIGHBORHOOD RESOURCE OFFICER

I. Purpose: This order establishes the Job Task Requirements for the position of Neighborhood Resource Officer.

II. Policy: The Neighborhood Resource Officer enforces West Lafayette City Parking Code primarily and as directed. The Neighborhood Resource Officer enforces City Ordinance as needed or directed. The Neighborhood Resource Officer will respond to animal complaints, inform the public regarding the city code pertaining to animals, and enforce those codes. The Neighborhood Resource Officer will serve under the direct supervision of the Neighborhood Resources Supervisor and the Patrol Commander.

III. Functions and Duties:

A. Essential

1. Patrols West Lafayette on foot or driving a vehicle.
2. Removes and disposes of deceased animals on public property and assists citizens in removing and properly disposing of deceased animals on private property when necessary.
3. Monitors radio and other communications devices to receive assigned calls.
4. Responds to assigned calls by driving, walking, or running to specified location, assess situation, determine if additional assistance is required and take appropriate action.
5. Complies with all state laws, city codes, and O.S.H.A. regulations pertaining to animals, parking, and traffic.
6. Maintains visibility in the community by talking with citizens and providing information, providing a positive, professional image for the City of West Lafayette.
7. Observes for violations of City Ordinance related to Nuisance Code.
8. Writes reports, complete forms, makes oral reports and testifies in court.
9. Participates in training pertaining to duties.
10. Properly maintain uniforms and other issued equipment.
11. Maintains cleanliness in all work areas.
12. Performs other duties as assigned.

IV. Qualifications:

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A. Minimum requirements:

1. Speak, read, and write English.
2. Maintain good physical condition.
3. Meet all requirements for employment as prescribed by Indiana Law.
4. Have the ability to operate a vehicle safely, under less than ideal conditions.
5. Have the ability to use a two-way radio.
6. Have the ability to do computer entry of parking tickets and reports.
7. Have the ability to operate passenger cars and light duty trucks.
8. Maintain knowledge and understanding of current department rules, regulations, policies, and procedures.
9. Must possess a valid Indiana Driver's License.
10. Have the ability to lift no more than 75 pounds in weight.
11. Maintain availability for call-in from off-duty status as stipulated in policy.
12. Monitor department supplied cell phone.

B. Desired requirements:

1. Have knowledge of West Lafayette City Court Procedures.
2. Have knowledge of Police Department operations.
3. Have knowledge of streets and alleys in the West Lafayette area.
4. Have knowledge of related service in the community.
5. Have knowledge of State and Local laws and ordinances related to parking.

V. Working Environment

A. Incumbent stands, sits, drives, walks, carries, pushes and pulls. He/She may also have to stoop, crouch, kneel, and lift up to 75 lbs., and is exposed to fumes.

B. Incumbent works normal daytime hours, but is subject to occasional after hour and weekend duty. Incumbent is also exposed to all types of weather conditions.

C. Be subject to call out on a twenty-four hour basis after his/her regular duty hours.

D. Have the ability to stand or sit for long periods of time, sometimes in extreme weather conditions.

E. Prescribed uniform is worn for work.

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201.25 NEIGHBORHOOD RESOURCE OFFICER – REGULAR PART-TIME POSITION

I. Purpose: This order establishes the Job Task Requirements for the position of Regular Part-Time Neighborhood Resource Officer.

II. Policy: The Regular Part-Time Neighborhood Resource Officer enforces West Lafayette City Parking Code primarily and as directed. The Regular Part-Time Neighborhood Resource Officer enforces City Ordinance as needed or directed. The Regular Part-Time Neighborhood Resource Officer will serve under the direct supervision of the Neighborhood Resources Supervisor and the Patrol Commander.

III. Functions and Duties:

A. Essential:

1. Patrols West Lafayette on foot or driving a vehicle searching for violations relating to parking.
2. Observes for violations of City Ordinance related to Nuisance Code.
3. Writes reports, complete forms, makes oral reports and testifies in court.
4. Participates in training pertaining to duties.
5. Properly maintain uniforms and other issued equipment.
6. Maintains cleanliness in all work areas.
7. Performs other duties as assigned.

B. Nonessential:

IV. Qualifications:

A. Minimum requirements:

1. Speak, read, and write English.
2. Maintain good physical condition.
3. Meet all requirements for employment as prescribed by Indiana Law.
4. Have the ability to operate a vehicle safely, under less than ideal conditions.
5. Have the ability to use a two-way radio.
6. Have the ability to do computer entry of parking tickets and reports.
7. Have the ability to operate passenger cars and light duty trucks.
8. Maintain knowledge and understanding of current department rules, regulations, policies, and procedures.
9. Must possess a valid Indiana Driver's License.

B. Desired requirements:

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1. Have knowledge of West Lafayette City Court Procedures.
2. Have knowledge of Police Department operations.
3. Have knowledge of streets and alleys in the West Lafayette area.
4. Have knowledge of related service in the community.
5. Have knowledge of State and Local laws and ordinances related to parking.

V. Working Environment

- A. Incumbent stands, sits, drives, walks, carries, pushes, and pulls. He/She may also have to stoop, crouch, kneel, and lift up to 75 lbs., and is exposed to fumes.
- B. Incumbent works normal daytime hours, but is subject to occasional after hour and weekend duty. Incumbent is also exposed to all types of weather conditions.
- C. Prescribed uniform is worn for work.

201.26 TIPPECANOE COUNTY DRUG TASK FORCE ASSIGNMENT

I. Purpose: This order establishes the Job Task Requirements for officers assigned to the Tippecanoe County Drug Task Force.

II. Policy: Incumbent must be available 24 hours a day 7 days a week (except during vacation) for short notice work. Incumbent must exercise a great deal of discretion in maintaining confidentiality with regard to narcotics suspects, investigations, and the identity of informants. Incumbent must maintain a good working relationship with all local police agencies for the effective transfer of narcotics information. Incumbent reports to the commander of the Criminal Investigation Division.

III. Functions and Duties: (includes, but is not limited to)

A. Essential

1. Perform covert surveillance of narcotics suspects.
2. Work with confidential informants
 - a. Obtain statements
 - b. Plan narcotics buys
 - c. Accompany informants on narcotics buys
 - d. Determine reliability and usefulness of information
 - e. Testify in court on informant's behalf
3. Work with the Prosecutor's office.
 - a. Preparation of:
 1. Affidavit of Probable Cause
 2. Search Warrants

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3. Charging Information

4. Plea Agreements

5. Asset Forfeiture Information

6. Available for:

a. Witness conferences

b. Depositions

c. Court testimony

7. Operate covert surveillance equipment during controlled narcotics purchases.

8. Conduct undercover narcotics buys as needed.

9. Work with other police agencies in obtaining and relaying information obtained regarding other non-narcotics charges.

10. Serve search warrants

11. Effectively seize, mark and log evidence seized or purchased during narcotics investigations.

12. Complete reports regarding investigations to include:

a. Surveillance log

b. Informant history

c. Narratives

d. Other documentation required for effective investigation and prosecution of narcotics suspects.

13. Provide assistance, guidance, and/or training to officers conducting narcotics investigations.

14. Interview and record statements made by suspects during narcotics investigations.

15. Maintain work record and, when possible, reschedule all overtime worked during the pay period.

IV. Qualifications:

A. Minimum

1. Must meet or exceed all minimum requirements for all preceding ranks.

2.

B. Desired

1. Possesses analytical skills.

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2. The ability to maintain the highest degree of confidentiality.
3. The ability to communicate effectively and tactfully in English.
4. The ability to work with other agencies.

V. Working Environment:

A. Incumbent spends most of the day sitting in the general office environment, or in a vehicle. They may be exposed to extreme weather conditions. Incumbent may be called upon to climb, balance, stoop, crouch, kneel, or crawl in an emergency situation. These emergencies may also expose incumbent to moving parts, electrical shock, heights, burns, explosives, chemical and biological agents, fumes, gases, and dust. Incumbent lifts 15-25 lbs. on a daily basis.

B. Incumbent works irregular hours.

C. Civilian clothing is worn to work.

201.27 COMMUNICATIONS CENTER SUPERVISOR

I. Purpose: This order establishes the Job Task Requirements for the position of Communications Center Supervisor.

II. Policy: Incumbent performs duties related to radio monitoring, assisting citizens, and maintaining records for the department. Incumbent reports directly to the Captain of Patrol and works under the general direction of the Shift Commanders.

III. Functions and Duties:

A. Essential

1. Maintains work schedule books for all dispatchers. At the end of the pay period turns in work schedule books for dispatch personnel to the Captain of Patrol for review and approval.
2. Coordinates scheduling issues for dispatch personnel (covering shortages, scheduling vacations, scheduling personal days, etc.).
3. Work in conjunction with the Shift Commanders and the Captain of Patrol to complete evaluations of dispatch personnel.
4. Work in conjunction with Shift Commanders to address any personnel issues related to dispatch personnel.
5. Work in conjunction with the Captain of Special Services and Captain of Patrol to coordinate training.
6. Serve as the IDACS Coordinator.
7. Assist with the hiring process pertaining to open dispatcher positions as directed.

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8. Meets with the Captain of Patrol at least weekly for a briefing regarding the operation of dispatch and any other related issues.
9. Monitors radio and other communication devices, assign runs, and maintains awareness of activities assigned to Police/Fire Personnel.
10. Assists citizens with problems such as lost children, injured persons, animal bites, civil disputes, locked doors, etc. by assigning Patrol Officers.
11. Refers persons to appropriate social service agencies when situation warrants.
12. Prepares reports and completes forms as required by operating procedure, and make oral reports to appropriate evidence.
13. Testifies in court, prepares for such testimony by reviewing reports and notes, meets with attorneys and obtains appropriate evidence.
14. Maintains daily records, files, and logs that pertain to the Communications Room and reception counter.
15. Refers telephone calls to proper divisions in the police department.
16. Refers all legal questions, etc. from the public to the OIC.
17. Enters data into IDACS/NCIC as directed by the OIC.
18. Remains in Communications Room unless permission to leave is granted.
19. Relays necessary information to oncoming dispatchers at shift change.
20. Participates in training on communications procedures, IDACS, and related subjects.
21. Performs other related duties as required.

B. Nonessential:

IV. Qualifications:

A. Minimum

1. Must be 18 years of age or older.
2. Meets all requirements prescribed by Indiana Law.
3. Must successfully complete a spelling and grammar test approved by the department.
4. Must successfully complete the Basic Communications Officers Course at the Indiana Law Enforcement Academy, Basic IDACS/NCIC Certification Course, and all required recertification courses.
5. Must possess excellent communication skills. .

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6. The ability to make decisions under pressure which involve emergency situations.
7. Maintain equipment.
8. Must successfully pass a Background Investigation consisting of criminal history, employment record, or other information pertaining to suitability with the department.
9. Extensive knowledge of communications center radios, computers, telephones, IDACS System, the RMS System, and other computer software as assigned
10. Knowledge of social service agencies, business, education, civic, and social organizations in the community.
11. Extensive knowledge of streets and alleys in the city and working knowledge of street and highway layout in surrounding area.
12. The ability to keep confidential aspects of job information.

B. Desired:

V. Working Environment

A. Incumbent spends 100% of the day in the office environment. He/She must be able to work as a member of a team and independently, perform complex tasks during life-threatening emergencies. Incumbent works for long periods of time, requiring intense concentration. Incumbent must be able to work in close quarters for long periods of time.

B. Prescribed duty wear is worn for work.

201.28 ASSISTANT COMMUNICATIONS CENTER SUPERVISOR

I. Purpose: This order establishes the Job Task Requirements for the position of Assistant Communications Center Supervisor.

II. Policy: Incumbent performs duties related to radio monitoring, assisting citizens, and maintaining records for the department. Incumbent reports directly to the Communications Center Supervisor and the Patrol Commander. Incumbent works generally under the direction of the Shift Commanders.

III. Functions and Duties:

A. Essential

1. Assists Communications Center Supervisor in maintaining shift schedules and books for dispatch personnel. At the end of the pay period, submits books to Patrol Commander for review and approval in the absence of the Communications Center Supervisor.

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2. Coordinates scheduling issues for dispatch personnel with Communications Center Supervisor (covering shortages, scheduling vacations, scheduling personal days, etc.)
3. Work in conjunction with Communications Center Supervisor, Patrol Commander, and Shift Commanders to complete evaluations of dispatch personnel.
4. Work in conjunction with Communications Center Supervisor, patrol Commander, and Shift Commanders to address any disciplinary issues related to dispatch personnel.
5. Manage training and certifications in conjunction with the Training Sergeant, and Operations Captain for dispatch personnel.
6. Serve as Assistant IDACS Coordinator.
7. Assist with hiring process for open dispatch positions as directed.
8. Meets with the Communications Center Supervisor weekly for a briefing regarding the operation of dispatch and other related issues at shift change. No OT is accrued for weekly briefings.
9. Supervise night shift dispatch personnel under direction of the Communications Center Supervisor.
10. Monitors radio and other communication devices, assign runs, and maintains awareness of activities assigned to Police and Fire personnel.
11. Assists citizens with problems such as lost children, injured persons, animal bites, civil disputes, locked doors, etc. by assigning patrol officers.
12. Prepares reports and completes forms as required by operating procedure, and make oral reports as requested.
13. Testifies in court. Prepares for such testimony by reviewing reports and notes, meets with attorneys, and obtains appropriate evidence as directed.
14. Maintains daily records, files, and logs that pertain to the Communication Room.
15. Refers telephone calls to proper divisions within the police department.
16. Refers all legal questions, etc. from the public to the OIC.
17. Enters data into the IDACS/NCIC system as needed or directed by the OIC.
18. Remains in Communications Room unless permission to leave granted by the OIC
19. Relays necessary information to oncoming dispatchers at shift change.

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20. Participates in training as assigned.

21. Performs other duties as required.

B. Nonessential:

IV. Qualifications:

A. Minimum

1. Must be 18 years of age or older.

2. Maintains telephone service and updates the police department on any changes.

3. Meets all requirements as prescribed by Indiana Law.

4. Must successfully complete the Basic Communications Officers Course at ILEA, basic IDACS/NCIC certification course and all recertification courses.

5. Must successfully complete front line supervisor training as required by the patrol commander.

6. The ability to orally communicate with people effectively.

7. The ability to make decisions under pressure during emergency situations.

8. Maintains assigned equipment and work area.

9. Must successfully pass a background investigation consisting of criminal history, employment record, and other information pertaining to suitability with the department.

10. Extensive knowledge of communications center radios, computers, telephones, IDACS, RMS, and other computer software as assigned.

11. Working knowledge of social service agencies, education, civic, and social organizations in the community.

12. Extensive knowledge of street, alleys, and layout of highways in an around assigned jurisdiction.

13. The ability to keep confidential various aspects of job related information.

V. Working Environment:

A. Incumbent spends 100% of the day in an office environment. He or she must be able to work as a member of a team and independently, perform complex tasks during life-threatening emergencies. Incumbent works for long time periods, requiring intense concentration. Incumbent must be able to work in close quarters for long time periods.

B. Prescribed duty wear is worn for work.

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201.29 PATROL DISPATCHER

I. Purpose: This order establishes the Job Task Requirements for the position of Patrol Dispatcher.

II. Policy: Incumbent performs duties related to radio monitoring, assisting citizens, and maintaining records for the department. Incumbent reports to a Shift Commander and the Communications Center Supervisor.

III. Functions and Duties:

A. Essential

1. Monitors radio and other communication devices, assign runs, and maintains awareness of activities assigned to Police/Fire Personnel.
2. Assists citizens with problems such as lost children, injured persons, animal bites, civil disputes, locked doors, etc. by assigning Patrol Officers.
3. Refers persons to appropriate social service agencies when situation warrants.
4. Prepares reports and completes forms as required by operating procedure, and make oral reports to appropriate evidence.
5. Testifies in court, prepares for such testimony by reviewing reports and notes, meets with attorneys and obtains appropriate evidence.
6. Maintains daily records, files, and logs that pertain to the Communications Room.
7. Refers telephone calls to proper divisions in the police department.
8. Refers all legal questions, etc. from the public to the OIC.
9. Enters data into IDACS/NCIC as directed by the OIC.
10. Remains in Communications Room unless permission to leave is granted.
 - a. Dispatch breaks are not to be taken during peak hours (rush hours, weekday lunch hour, bar closing time).
 - b. Dispatchers will log-off CAD (not the whole system) when leaving for break and log back in upon return.
 - c. Dispatchers will send an MCT message or call their shift commander to notify the commander that they are going on break.
 - d. Dispatchers are allowed a total of 60-minute break in their work shift. (this is a paid break) WLPD Dispatchers may choose to use the break period in one 60 minute block for the purpose of utilizing the WLPD exercise facility. Dispatchers will carry a portable radio and return to the dispatch center if necessary to satisfy call volume. Dispatchers may leave the Tippecanoe County Jail property for up to 30 minutes for meals (again taking the portable radio). They can take the remaining 30 minutes

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after returning to Jail property or break it into 2 15-minute blocks of time that can be taken elsewhere during the shift.

11. Relays necessary information to oncoming dispatchers at shift change.

12. Participates in training on communications procedures, IDACS, and related subjects.

13. Performs other related duties as required.

B. Nonessential:

IV. Qualifications:

A. Minimum

1. Must be 18 years of age or older.

2. Meets all requirements prescribed by Indiana Law.

3. Must successfully complete a spelling test and verbal grammar test approved by the department.

4. Must successfully complete the Basic Communications Officers Course at the Indiana Law Enforcement Academy, Basic IDACS/NCIC Certification Course, and all required recertification courses.

5. The ability to orally communicate with people effectively.

6. The ability to make decisions under pressure which involve emergency situations.

7. Maintain equipment.

8. Must successfully pass a Background Investigation consisting of criminal history, employment record, or other information pertaining to suitability with the department.

9. Extensive knowledge of communications center radios, computers, telephones, IDACS System, the RMS System, and other computer software as assigned.

10. Working knowledge of social service agencies, business, education, civic, and social organizations in the community.

11. Extensive knowledge of streets and alleys in the city and working knowledge of street and highway layout in surrounding area.

12. The ability to keep confidential various aspects of job information.

B. Desired:

V. Working Environment

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A. Incumbent spends 100% of the day in the office environment. He/She must be able to work as a member of a team and independently, perform complex tasks during life-threatening emergencies. Incumbent works for long periods of time, requiring intense concentration. Incumbent must be able to work in close quarters for long periods of time.

B. Prescribed duty wear is worn for work.

201.30 PROPERTY & EVIDENCE MANAGER

I. Purpose: This order establishes Job Task Requirements for the position of Property & Evidence Manager/Programs Facilitator.

II. Policy: The incumbent is responsible for a wide range of job responsibilities. He/She will deal primarily with the management of the property room and evidence management. Incumbent will also facilitate programs and community outreach for the department. The incumbent will serve under the general direction of the Captain of Special Services.

III. Functions and Duties:

A. Essential:

Property Room Management

1. Intakes and processes all evidence and found property for the entire department.

- a) Receives, logs, and stores seized property and evidence.
- b) Performs data entry of seized property in the Records Management System (RMS) and keeps track of warehoused items.
- c) Accesses court dockets via internet to determine status of seized property and evidence.
- d) Conducts criminal records checks and property checks using IDACS and NCIC to determine status of property and evidence.
- e) Prepare and transport evidence to court when needed.
- f) Testify in court, when necessary, to chain of custody of items of evidence.
- g) Contact officers and detectives to clarify disposition of evidence/property.
- h) Transport evidence to the state police laboratory as needed.
- i) Update all case reports and prepare paperwork when property is released.

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j) Properly destroy and document the destruction of any property no longer needed as evidence as deemed by the courts or rules of evidence.

k) Periodically prepare property to be released for sale by department policy.

l) Maintain the lab, lab equipment, and assist Technicians with the purchase of supplies and equipment they need for evidence collection.

n) Assist with body camera video as needed.

2. Public Records Request

a) Once approved by the Special Services Captain, the incumbent will review the document or video and redact any confidential or prohibited information as directed by the State of Indiana Public Access Laws.

3. Monthly Drug Take-Back

a) Will coordinate and operate monthly Drug Take Back events held at the police department headquarters.

4. Video Evidence Case Management

a) Incumbent will oversee and manage video evidence cases created in the body worn/car camera system under the direction of the Captain of Special Services.

IV. Qualifications:

A. Minimum:

1. Five years police experience or equivalent education and training.
2. Computer competency and knowledge of Windows Software and other related software operating systems.
3. A working knowledge in the operations of cameras and video equipment.
4. A working knowledge of WLPD's property management system, evidence collection, and documentation.
5. Basic knowledge of the rules of evidence and court proceedings.
6. Ability to properly handle (with training) biologically hazardous material.
7. Ability to properly handle dangerous weapons and assure safety protocol.

V. Working Environment

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A. Incumbent works normal daytime hours but is subject to after hour or weekend emergency call in. Incumbent primarily works inside but periods of outside work may be required. He/She will spend periods of time sitting, standing, walking, driving, and may be required to carry items related to assigned duties.

B. Incumbent will wear business casual attire to work or as assigned by the supervisor according to duties.

201.31 SOCIAL SERVICE & CRISIS RESPONSE SPECIALIST

I. Purpose: This order is to establish the Job Task Requirements for the position of Social Service & Crisis Response Specialist.

II. Policy: Incumbent performs duties related to criminal and non-criminal situations. Incumbent provides crisis intervention, advocacy, community outreach, and refers those in crisis to the appropriate resource and/or agency. Incumbent reports directly to the Deputy Chief of Police.

III. Functions:

A. Essential

1. Provides social work in serious and complicated situations which may require a wide range of social work skills and intervention techniques.
2. Determines best course of action and provides short-term crisis intervention services in emergency situations, such as, but not limited to domestic violence, child abuse, sexual abuse, suicide, serious or fatal accidents, homelessness, and those experiencing a mental crisis.
3. Independently follows up on referrals from police officers and the general public and provides emergency social service assistance after working hours when requested.
4. May accompany police officers to death scenes that could be the result of criminal or non-criminal circumstances and/or to provide death notifications to families or other survivors.
5. Identifies trends and problems individuals face that impact the community. Presents recommendations on how to solve those problems and/or alleviate the impact.
6. Conducts public education programs for members of the public and provides in-service training for department personnel.
7. Works with other social service providers to coordinate care for individuals in crisis.
8. Acts as a liaison between WLPD and community groups by representing the City at relevant meetings.
9. Performs case management and maintains the divisions records.
10. Compiles statistics and prepares reports on social service activities.
11. Appears in court when necessary.

B. Non-Essential

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1. All other duties as assigned.

IV. Qualifications:

1. Master's degree or higher in social work, psychology, or another closely related field with a minimum of two (2) years' relatable experience is required.

a. Experience working with a law enforcement agency is preferred, but not required.

2. Licensed Clinical Social Worker (LCSW) or Licensed Clinical Psychologist (LCP) preferred.

3. Demonstrated knowledge of the court system as it relates to domestic violence and admissions for psychiatric assessments.

4. Ability to work under stressful or emotionally charged situations where individuals may be experiencing crisis or exhibiting erratic behavior.

5. Ability and aptitude to work in a law enforcement environment in a diverse community.

6. Demonstrated ability to work clinically with individuals and groups providing crisis intervention and short-term treatment services.

7. Demonstrated ability to problem-solve and work creatively to address social and mental health challenges within the community.

8. Demonstrate an understanding of and respect for the diversity of individuals with a disability or whose first language may not be English.

9. Knowledge of community resources and how to access the services that they provide.

10. Ability to exercise independent clinical judgement and responsibility for cases.

11. Must possess a high level of critical thinking skills and make appropriate decisions in mental health crisis situations and work as part of a team.

12. Ability to learn police radio codes and defensive tactics.

13. Proficiency in Office 365 and police records management system.

14. Ability to communicate effectively, both orally and in writing.

15. Possession of a valid Indiana driver's license.

V. Working Environment

1. Work is performed in an office environment, as well as in the field under possible adverse weather conditions, stressful situations involving individuals in crisis and outdoor environments that may be considered challenging to some.

Departmental Directives

202.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for issuing Departmental Directives.

202.2 POLICY

Departmental Directives will be used to modify policies of the West Lafayette Police Department when an immediate need to adopt a policy or procedure exists, in order to best meet the mission of the Department.

202.3 PROTOCOL

Departmental Directives will be incorporated into the Policy Manual, as required, upon approval. Departmental Directives will modify existing policies or create a new policy as appropriate and will be rescinded if incorporated into the manual.

The Special Services Division Commander or the authorized designee should ensure that all Departmental Directives are disseminated appropriately. Departmental Directives should be numbered consecutively and incorporate the year of issue. All members will be notified when a Departmental Directive is rescinded or has been formally adopted into the Policy Manual.

202.3.1 PROCEDURES AND PRACTICES

Departmental Directives will also be used as provided in this policy to address department procedures and practices not addressed in this Policy Manual.

202.4 RESPONSIBILITIES

202.4.1 COMMAND STAFF

Command staff shall periodically review Departmental Directives to determine whether they should be formally incorporated into the Policy Manual, and, as appropriate, will recommend necessary modifications to the Chief of Police.

202.4.2 CHIEF OF POLICE

Only the Chief of Police or the authorized designee may approve and issue Departmental Directives.

202.4.3 LEGAL SUFFICIENCY

The Chief of Police or the authorized designee is responsible for ensuring that all policies and procedures are in compliance with Indiana law.

202.5 ACCEPTANCE OF DIRECTIVES

All members shall be provided access to the Departmental Directives. Each member shall acknowledge that he/she has been provided access to, and has had the opportunity to review, the Departmental Directives. Members shall seek clarification as needed from an appropriate supervisor for any provisions they do not fully understand.

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202.5.1 DOCUMENTATION

The Special Services Division Commander should develop a system, approved by the Chief of Police, for documenting member receipt of Departmental Directives.

Emergency Operations Plan

203.1 PURPOSE AND SCOPE

This policy clarifies the role of the West Lafayette Police Department and responsibilities of its members pertaining to large-scale emergencies and the Indiana Emergency Operations Plan.

203.2 POLICY

The West Lafayette Police Department will prepare for large-scale emergencies within and outside its jurisdiction through planning and mutual cooperation with other agencies (I.C. § 10-14-3-9; I.C. § 10-14-3-10.8).

The City Emergency Operations Plan complies with the State of Indiana's Emergency Operation Plan. This plan provides guidance for City emergency operations within and outside its borders as may be required.

203.2.1 WEST LAFAYETTE CODES/ORDINANCES

An emergency management organization has been established by the City of West Lafayette. This ordinance has been approved by the City Council (I.C. § 10-14-3-17).

203.3 DEPARTMENT RESPONSIBILITIES

The Department shall enforce the orders, rules and regulations issued pursuant to the Emergency Operations Plan (I.C. § 10-14-3-24).

203.4 ACTIVATING THE EMERGENCY OPERATIONS PLAN

The Emergency Operations Plan can be activated in a number of ways. For the West Lafayette Police Department, the Chief of Police or the highest ranking on-duty supervisor may activate the Emergency Operations Plan in response to a major emergency.

203.4.1 RECALL OF PERSONNEL

In the event that the Emergency Operations Plan is activated, all employees of the West Lafayette Police Department are subject to immediate recall to service. Employees may also be subject to recall during extraordinary circumstances as deemed necessary by the Chief of Police or the highest ranking on-duty supervisor.

Failure to promptly respond to an order to report for duty may result in discipline.

203.5 AFTER-ACTION REPORTS

After-action reports should be prepared for any natural or manmade disasters or unusual incidents, as determined by the Chief of Police. The Incident Commander should prepare a comprehensive after-action report of the event, which should include:

- (a) The date, time and description of the event.
- (b) The actions taken and outcomes (e.g., injuries, property damage, arrests, costs).
- (c) Any identified problems.

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- (d) Significant events.
- (e) Recommendations for improvement. Opportunities for training should be documented in a generic manner, without identifying individuals or specific incidents, facts or circumstances.

203.6 EMERGENCY OPERATIONS PLAN REVIEW

The Chief of Police or the authorized designee shall review the Emergency Operations Plan at least once every two years and ensure that the plan conforms to any revisions made by the National Incident Management System (NIMS). The Chief of Police or the authorized designee should appropriately address any needed revisions.

203.7 TRAINING

The Department should provide annual training on the Emergency Operations Plan for all supervisors and other appropriate personnel. All supervisors should familiarize themselves with the Emergency Operations Plan and personnel responsibilities when the plan is implemented. Training should incorporate a full or partial exercise, tabletop or command discussion.

203.8 INCIDENT MANAGEMENT/DOMESTIC PREPAREDNESS PLAN

Incident Management / Domestic Preparedness Plan: [See attachment: Incident Management.pdf](#)

Training

204.1 PURPOSE AND SCOPE

This policy establishes general guidelines for how training is to be identified, conducted and documented. This policy is not meant to address all specific training endeavors or identify every required training topic.

204.2 POLICY

The Department shall administer a training program that will meet the standards of federal, state, local and the Indiana Law Enforcement Training Board training requirements. It is a priority of this department to provide continuing education and training for the professional growth and development of its members.

204.3 OBJECTIVES

The objectives of the training program are to:

- (a) Enhance the level of law enforcement service to the public.
- (b) Increase the technical expertise and overall effectiveness of department members.
- (c) Provide for continued professional development of department members.
- (d) Ensure compliance with Indiana Law Enforcement Training Board rules and regulations concerning law enforcement training.

204.4 TRAINING PLAN

It is the responsibility of the Training Officer to develop, review, update and maintain a training plan and to ensure that mandated basic, in-service and department-required training is completed by all members as needed or required. All training will be documented within the ILEA Acadis system.

The plan will include information on curriculum, training material, training facilities and scheduling. The plan will address federal, state and department-required, minimum-mandated training of officers and other members.

The training requirements established by the Indiana Law Enforcement Training Board are only the minimum qualification standards and training requirements for officers. Additional training should be completed as necessary and appropriate (I.C. § 5-2-1-1).

204.4.1 GOVERNMENT-MANDATED TRAINING

The following lists, while not all inclusive, identify training that is required under state and federal laws and regulations.

- (a) Federally mandated training:
 - 1. National Incident Management System (NIMS) training
- (b) State-mandated training:

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1. Officers shall receive all required training prior to a law enforcement assignment (I.C. § 5-2-1-9; 250 I.A.C. 2-6-1; 250 I.A.C. 2-2-1).
2. Officers shall complete all required in-service training (I.C. § 5-2-1-9; I.C. § 5-2-8-1; I.C. § 5-2-8-2; I.C. § 5-2-8-5; I.C. § 36-8-3-20; 250 I.A.C. 2-7-1).
3. Part-time and reserve officers shall complete all required pre-basic and in-service training as required by state law (I.C. § 36-8-3-20; 250 I.A.C. 2-9-1; 250 I.A.C. 2-7-1; 250 I.A.C. 2-8-1).

204.4.2 ACCREDITATION TRAINING

The Indiana Law Enforcement Accreditation Commission (ILEAC) requires or recommends the following training for all members:

(a) Required training:

1. All members shall receive training on the Personnel Complaints Policy.
2. Appropriate members are trained to conduct and interview/interrogation.
3. Appropriate members are trained in conducting preliminary investigations.
4. Appropriate members are trained in conducting follow-up investigations.
5. Appropriate members receive annual in-service training in handling family violence cases.
6. Appropriate training to supervisors and managers within 12 months of their promotion and appropriate to the position/rank.

(b) Recommended training:

1. All members should receive training on the Standards of Conduct Policy.

204.4.3 MOTORCYCLE UNIT SPECIALIZED TRAINING

The motorcycle unit will maintain a motorcycle training manual reflecting current certification and training of members, requirements for recertification and any other pertinent information to prove proper certification and training of the unit. The motorcycle unit sergeant will retain this responsibility.

Training:

1. Formal training will be provided by a certified motorcycle officer instructor.

a. The training consists of at least 80 hours. The objectives of the training program are to teach familiarity with the assigned motorcycle; the coordination of clutch and throttle; the ability to maneuver through slow and fast traffic, right and left lanes; working through stopped traffic; the art of shifting body weight in tight turns; and depth perception.

2. Once the selected officer has satisfactorily completed his basic motorcycle training, he/she will be assigned to the motorcycle unit. Should a selected officer fail to satisfactorily

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complete his/her skills tests during the 80-hour training, they will be removed from the unit, and another officer will be selected.

3. After appointment to the motorcycles unit, a re-qualifying proficiency test may be required at certain intervals.

a. A minimum score of 70 percent is needed to re-qualify. If a motorcycle officer does not achieve a 70 percent score, another attempt to re-qualify will be conducted at the next monthly practice. If unsuccessful, the motorcycle officer will be removed at supervisor's discretion after conferring with the chain of command.

204.4.4 IN-SERVICE TRAINING SCHEDULE

Refresher in-service training, as applicable to member assignments, should be conducted on the following schedule:

(a) Annual training:

1. Firearms
2. Physical tactics/use of force
3. Emergency vehicle operation
4. Vehicle Pursuits Policy, including lawful intervention techniques
5. Addiction
6. Disabilities
7. Autism
8. Alzheimer's disease
9. Endangered persons
10. Human trafficking
11. Domestic or family violence, child abuse, and sudden infant death syndrome (SIDS)
12. Cardiopulmonary resuscitation and the Heimlich maneuver
13. De-escalation techniques
14. Hazardous materials awareness
15. Preliminary investigations
16. Communicable diseases
17. Harassment in the workplace (i.e., discriminatory harassment)

(b) Biennial training

1. Indiana Data and Communications System (IDACS)
2. Control devices

(c) Triennial training

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1. Ethics
2. Racial/bias-based profiling and policing
3. Field Training Officer
4. Detainee processing
5. Handling emotionally disturbed persons, persons suffering mental disturbances, or emotional crises

- (d) Additional training mandated by the Chief of Police or the authorized designee

204.4.5 REMEDIAL TRAINING

Remedial training is directed at resolving a particular issue/deficiency or improving the performance of a member in a particular area within a given time period. Once it has been determined that remedial training is needed, the training should be conducted as soon as practicable. Remedial training shall be documented in the same manner as other training. Remedial training may be initiated in a number of different ways, including:

- (a) Supervisor identified - Supervisors have an opportunity on a daily basis to identify member performance deficiencies and develop remedial training to correct them.
- (b) Performance evaluations - Performance evaluations provide an opportunity to identify and correct deficiencies by the evaluator during the performance evaluation process (see the Performance Evaluations Policy).
- (c) Field training - Remedial training occurring during the member's field training period shall be addressed in accordance with the Field Training Policy.
- (d) Internal Affairs - Individualized remedial training may also be appropriate to address deficiencies identified as a result of an internal affairs investigation.
- (e) Performance history audits - Member performance that is identified in a performance history audit may be addressed through remedial training to correct deficiencies (see the Performance History Audits Policy).
- (f) Instructor identified - Failure to meet minimum training examination/scores may result in remedial training by the instructor.

204.5 TRAINING ATTENDANCE

- (a) All members assigned to attend training shall attend as scheduled unless previously excused by their immediate supervisor. Excused absences should be limited to:
 1. Court appearances.
 2. Previously approved vacation or time off.
 3. Illness or medical leave.
 4. Physical limitations preventing the member's participation.
 5. Emergency situations or department necessity.

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- (b) Any member who is unable to attend training as scheduled shall notify his/her supervisor as soon as practicable.
- (c) Officers and employees are expected to attend any school or training session organized or provided for the department, or to attend any school or training session to which they are assigned. They shall report to such training sessions, classes or schools at the appointed time, promptly, and be neat in the required dress. In the event of schools or training sessions the officer shall be reimbursed for actual expenses incurred in line with city policy.

204.6 DAILY TRAINING BULLETINS

The Lexipol Daily Training Bulletins (DTBs) are contained in a Web-accessed system that provides training on the West Lafayette Police Department Policy Manual and other important topics. Generally, one training bulletin is available for each day of the month. However, the number of DTBs may be adjusted by the Training Officer.

Members assigned to participate in DTBs shall only use the login credentials assigned to them by the Training Officer. Members should not share their password with others and should frequently change their password to protect the security of the system. After each session, members should log off the system to prevent unauthorized access. The content of the DTBs is copyrighted material and shall not be shared with others outside of the Department.

Members who are assigned to participate in the DTB program should complete each DTB at the beginning of their shifts or as otherwise directed by their supervisor. Members should not allow uncompleted DTBs to build up over time, and may be required to complete DTBs missed during extended absences (e.g., vacation, medical leave) upon returning to duty. Although the DTB system can be accessed from any Internet-enabled computer, members shall only take DTBs as part of their on-duty assignments, unless directed otherwise by a supervisor.

Supervisors will be responsible for monitoring the progress of those under their command to ensure compliance with this policy.

204.7 TRAINING RECORDS

The Chief of Police or his designee shall submit a written report to the Executive Director of the Indiana Law Enforcement Training Board detailing the basic and in-service training status of each officer by March 31 each year (I.C. § 5-2-1-1).

The Training Officer is responsible for the creation, filing and storage of all training records. Training records shall be retained in accordance with the established records retention schedule.

204.7.1 TRAINING RECORD REQUIREMENTS

For any training class or course conducted or delivered by or on behalf of the Department, the Training Officer shall maintain training records that include but are not limited to:

- (a) Course content or lesson plan.
- (b) Names of persons attending the class or course.

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- (c) Performance of attendees, including qualification or test results, as applicable.
- (d) Names of instructors.

Electronic Mail

205.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper use and application of the electronic mail (email) system provided by the Department.

205.2 POLICY

West Lafayette Police Department members shall use email in a professional manner in accordance with this policy and current law (e.g., Indiana Access to Public Records Act).

205.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails accessed, transmitted, received or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

205.4 RESTRICTIONS ON USE OF EMAIL

Messages transmitted over the email system are restricted to official business activities, or shall only contain information that is essential for the accomplishment of business-related tasks or for communications that are directly related to the business, administration or practices of the Department.

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing or any other inappropriate messages on the email system is prohibited and may result in discipline.

Email messages addressed to the entire Department are only to be used for official business-related items that are of particular interest to all users. In the event that a member has questions about sending a particular email communication, the member should seek prior approval from a supervisor in his/her chain of command.

It is a violation of this policy to transmit a message under another member's name or email address or to use the password of another to log into the system unless directed to do so by a supervisor. Members are required to log off the network or secure the workstation when the computer is unattended. This added security measure will minimize the potential misuse of a member's email, name or password. Any member who believes his/her password has become known to another person shall change their password immediately.

205.5 EMAIL RECORD MANAGEMENT

Email may, depending upon the individual content, be a public record under the Indiana Access to Public Records Act and must be managed in accordance with the established records retention schedule and in compliance with state law.

The Custodian of Records shall ensure that email messages are retained and recoverable as outlined in the Records Maintenance and Release Policy.

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205.6 EMAIL CONTENT REVIEW

To remain informed and current, all employees are required to review their e-mail daily when reporting for duty.

Supervision Staffing Levels

206.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines to ensure that proper supervision is available to meet the needs of the Department and members throughout all Divisions.

206.2 POLICY

The West Lafayette Police Department will ensure that proper supervision is available to meet the needs of its members and to achieve the goals of the Department. The needs of its members should be balanced with the needs of the Department for flexibility and discretion in assigning members to meet supervisory needs. While balance is desirable, the paramount concern is to meet the needs of the Department.

206.3 MINIMUM SUPERVISION STAFFING LEVELS

Minimum staffing levels should be established by the Commanders for each Division and work group. The supervision staffing levels should support proper supervision, span of control and activity levels to meet the needs of members and the goals of the Department.

Retired Officer Identification Card

207.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the issuance, denial, suspension or revocation of retired officer identification cards under the Law Enforcement Officers' Safety Act (LEOSA) and Indiana law (18 USC § 926C; I.C. § 35-47-15-1 et seq.).

207.2 POLICY

The West Lafayette Police Department will provide identification cards to qualified former or retired officers as provided in this policy.

207.3 LEOSA

The Chief of Police may issue a retired officer identification card for LEOSA purposes to any qualified former officer of this department who (18 USC § 926C(c)):

- (a) Separated from service in good standing from this department as an officer.
- (b) Before such separation, had regular employment as a law enforcement officer for an aggregate of 10 years or more or, if employed as a law enforcement officer for less than 10 years, separated from service after completing any applicable probationary period due to a service-connected disability as determined by this department.
- (c) Has not been disqualified for reasons related to mental health.
- (d) Has not entered into an agreement with this department where the officer acknowledges that he/she is not qualified to receive a firearm qualification certificate for reasons related to mental health.
- (e) Is not prohibited by federal law from receiving or possessing a firearm.

207.3.1 LEOSA IDENTIFICATION CARD FORMAT

The LEOSA identification card should contain a photograph of the former officer and identify him/her as having been employed as an officer.

If the West Lafayette Police Department qualifies the former officer, the LEOSA identification card or separate certification should indicate the date the former officer was tested or otherwise found by the Department to meet the active duty standards for qualification to carry a firearm.

207.3.2 AUTHORIZATION

Any qualified former law enforcement officer, including a former officer of this department, may carry a concealed firearm under 18 USC § 926C when he/she is:

- (a) In possession of photographic identification that identifies him/her as having been employed as a law enforcement officer, and one of the following:
 - 1. An indication from the person's former law enforcement agency that he/she has, within the past year, been tested or otherwise found by the law enforcement agency to meet agency-established active-duty standards for qualification in firearms training to carry a firearm of the same type as the concealed firearm.

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2. A certification, issued by either the state in which the person resides or by a certified firearms instructor who is qualified to conduct a firearms qualification test for active-duty law enforcement officers within that state, indicating that the person has, within the past year, been tested or otherwise found to meet the standards established by the state or, if not applicable, the standards of any agency in that state.
- (b) Not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.
- (c) Not prohibited by federal law from receiving a firearm.
- (d) Not in a location prohibited by Indiana law or by a private person or entity on his/her property if such prohibition is permitted by Indiana law.

207.4 RETIRED OFFICER IDENTIFICATION CARD

The Chief of Police shall issue a retired officer identification card:

- (a) To an officer who has retired from that agency as law enforcement officer (I.C. § 35-47-15-4).
- (b) With an endorsement to carry a concealed firearm to a person who has met the requirements of I.C. § 35-47-15-5.

If the department qualifies the retiree, the card may include the date that the person was qualified by the Department to carry a firearm in compliance with 18 USC § 926C(d)(1).

207.4.1 AUTHORIZATION

Qualified former officers with a retired officer identification card issued by the Department under state law may carry concealed, within this state, any firearm inspected and approved by the Department. The card does not itself authorize a retiree to carry a concealed firearm outside this state. The former officer must also meet state and LEOSA requirements.

207.5 FORMER OFFICER RESPONSIBILITIES

A former officer with a card issued under this policy shall immediately notify the Shift Supervisor of his/her arrest or conviction in any jurisdiction, or that he/she is the subject of a court order, in accordance with the Reporting of Arrests, Convictions and Court Orders Policy.

207.5.1 RESPONSIBILITIES UNDER LEOSA

In order to obtain or retain a LEOSA identification card, the former officer shall:

- (a) Sign a waiver of liability of the Department for all acts taken related to carrying a concealed firearm, acknowledging both his/her personal responsibility as a private person for all acts taken when carrying a concealed firearm as permitted by LEOSA and also that these acts were not taken as an employee or former employee of the Department.
- (b) Remain subject to all applicable department policies and federal, state and local laws.
- (c) Demonstrate good judgment and character commensurate with carrying a loaded and concealed firearm.

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- (d) Successfully pass an annual criminal history background check indicating that he/she is not prohibited by law from receiving or possessing a firearm.

207.5.2 RESPONSIBILITIES UNDER INDIANA LAW

In order to maintain a retired officer identification card, the retired officer shall (I.C. § 35-47-15-5):

- (a) Qualify annually with the authorized firearm at a course approved by this department or by the state for active law enforcement officers in the state at the officer's expense.
- (b) Remain subject to all applicable department policies and federal, state and local laws.
- (c) Not engage in conduct that compromises public safety.

207.6 DENIAL, SUSPENSION OR REVOCATION

A LEOSA identification card may be denied or revoked upon a showing of good cause as determined by the Department. In the event that an identification card is denied, suspended or revoked, the former officer may request a review by the Chief of Police. The decision of the Chief of Police is final.

207.7 FIREARM QUALIFICATIONS

The Rangemaster may provide former officers from this department an opportunity to qualify. Written evidence of the qualification and the weapons used will be provided and will contain the date of the qualification. The Rangemaster will maintain a record of the qualifications and weapons used.

Police Officer Retirement Entitlements

208.1 POLICE OFFICER RETIREMENT ENTITLEMENTS

I. Purpose: To establish written guidelines regarding benefits for retiring Police Officers.

II. Policy: The following benefits and entitlements shall be provided to Police Officers retiring from the department after completion of twenty or more years of service. This policy is effective immediately upon signing by the West Lafayette Board of Public Works and Safety and pertains to all officers retiring in calendar year 1997 and any subsequent year. Rate of pay shall be the rate established for the officers rank/position during the year of their retirement.

A. Vacation entitlement:

Retiring officers shall be granted the entire vacation benefit (time or pay out) for the calendar year in which their retirement becomes effective.

The amount shall be equal to their vacation entitlement (set by policy), as if they had remained actively employed for the entire year.

B. Separation pay:

Officers shall be entitled separation pay, equal to two bi-weekly salary amounts (twenty regular days of duty), upon retirement.

C. Accrued compensation time pay out:

Officers (exempt and non-exempt), shall be entitled to payment for all accrued compensation time on the books at the time of their retirement (straight time, hour for hour rate), (maximum amount not to exceed two hundred and forty hours).

D. Weapon entitlement:

The City of West Lafayette shall transfer the ownership of an Officer's assigned duty handgun to the officer upon retirement, after completing twenty or more years of service.

E. Retirement Badge and Identification:

Upon retirement, officers are presented with a retirement badge indicating the rank they retired at. The officer is also presented with an official police identification card, marked "Retired".

License to Carry a Handgun

209.1 PURPOSE AND SCOPE

The purpose of this policy is to provide a written process for the application, issuance, and disapproval of a license to carry a handgun pursuant to Indiana law (I.C. § 35-47-2-3; I.C. § 35-47-2-5).

209.2 POLICY

It is the policy of the West Lafayette Police Department to fairly and impartially consider all applications for a license to carry a handgun in accordance with applicable law and this policy.

209.3 APPLICANT QUALIFICATIONS

An applicant for a license to carry a handgun must meet the following requirements (I.C. § 35-47-2-3):

- (a) Submit a completed application form.
- (b) Be a resident of the City of West Lafayette or be a resident of another state and have a regular place of business in the City of West Lafayette.
- (c) Be at least 18 years of age.
- (d) Be free from criminal convictions that would disqualify the applicant from carrying a handgun.
- (e)
- (f) Be of good moral character and reputation.
- (g) Be a citizen of the United States or, if not a citizen of the United States, be authorized to carry a firearm under federal law.
- (h) Not be prohibited from possessing or receiving firearms under 18 USC 922(g) and I.C. 35-47-2-1.5.

209.4 APPLICATION NOTIFICATION

209.4.1 APPROVAL AND ISSUANCE

The superintendent of the Indiana State Police determines whether to approve, issue and deliver a license to carry a handgun (I.C. § 35-47-2-3).

209.4.2 RECOMMENDATION FOR DISAPPROVAL

In the event this department recommends disapproval of a license to carry a handgun, the Chief of Police shall provide complete and specific reasons for the recommendation to the ISP and the applicant (I.C. § 35-47-2-3).

209.5 APPLICATION PROCESS

The following elements are required to process an application (I.C. § 35-47-2-3):

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License to Carry a Handgun

- (a) The applicant will submit an application to the Chief of Police of the City where the applicant resides.
- (b) The Chief of Police or authorized designee will ascertain the applicant's personal information, including but not limited to any prior licenses to carry a handgun, and complete an investigation as set forth in I.C. § 35-47-2-3.
- (c) The Chief of Police or authorized designee will fingerprint all first-time applicants.

The Chief of Police who receives the application shall forward the completed application to the superintendent of the Indiana State Police (ISP) along with a recommendation for approval or disapproval of the application.

209.5.1 ADDITIONAL STATE REQUIREMENTS

Members who receive an application for a license to carry a handgun shall provide the applicant with a voter registration form (I.C. § 3-7-18-2).

209.6 REPORTING AND RECORDS

The Department shall keep a record of all applications for a license to carry a handgun in accordance with the established records retention schedule.

209.6.1 CONFIDENTIAL RECORDS

All information collected from an applicant is confidential unless disclosure is otherwise allowed by law (I.C. § 35-47-2-3).

Budget Management

210.1 PURPOSE AND SCOPE

This policy provides guidelines for department budgeting and accounting.

210.2 POLICY

The West Lafayette Police Department endeavors to appropriately obtain, manage, review and audit department funds.

210.3 BUDGET PREPARATION AND MANAGEMENT

The Deputy Chief of Police shall be responsible for preparing an annual budget proposal for review by the Chief of Police.

Adopted budgets shall be reviewed and monitored periodically by Commanders to ensure expenditures do not exceed allocated funds.

210.3.1 ACCOUNTING

The Deputy Chief of Police shall be responsible for developing and maintaining an accounting system that includes approval of each account and provisions for monthly status reports including, but not limited to:

- The initial appropriation for each account or program.
- Expenditures and encumbrances made during the reporting period.
- The unencumbered balance of the account or program.

Accounting practices for cash accounts are described in the Cash Handling, Security and Management Policy.

210.4 AUDITS

Audits of the department's fiscal activities should occur annually.

Memorandum of Understanding

211.1 TIPPECANOE COUNTY DRUG TASK FORCE MOU

The West Lafayette Police Department acknowledges the attached Tippecanoe County Drug Task Force MOU

See attachment: [DTF MOU.pdf](#)

211.2 PURDUE UNIVERSITY POLICE FIRING RANGE MOU

The West Lafayette Police Department acknowledges the attached Purdue University Police Firing Range MOU

See attachment: [Purdue Range Agreement June 2016.pdf](#)

211.3 LAFAYETTE HOUSING AUTHORITY MOU

The West Lafayette Police Department acknowledges the attached Lafayette Housing Authority MOU

See attachment: [Lafayette Housing Authority MOU.pdf](#)

211.4 TIPPECANOE COUNTY HIGH TECH CRIME UNIT MOU

The West Lafayette Police Department acknowledges the attached Tippecanoe County High Tech Crime Unit MOU

See attachment: [High Tech Crime Unit MOU.pdf](#)

211.5 WEST LAFAYETTE POLICE AND FIRE MOU WITH PURDUE POLICE AND FIRE

The West Lafayette Police Department acknowledges the attached West Lafayette Police and Fire MOU with Purdue Police and Fire

See attachment: [MOU for West Lafayette Police and Fire with Purdue Police and Fire 2014.pdf](#)

211.6 MOU TO ALLOW THE INDIANA STATE POLICE TO USE WLPD RADIO CHANNELS

The West Lafayette Police Department acknowledges the attached MOU to allow the Indiana State Police to use WLPD radio channels

See attachment: [MOU to allow Indiana State Police to use WLPD channels.pdf](#)

211.7 MOU TO ALLOW INDIANA DNR TO USE WLPD RADIO CHANNELS

The West Lafayette Police Department acknowledges the attached MOU to allow Indiana DNR to use WLPD Radio Channels

See attachment: [MOU to allow Indiana DNR to use WLPD radio Channels.pdf](#)

211.8 MOU WITH THE INDIANA SUPREME COURT JUDICIAL TECHNOLOGY AND AUTOMATION COMMITTEE (JTAC)

The West Lafayette Police Department acknowledges the attached MOU with the Indiana Supreme Court Judicial Technology and Automation Committee (JTAC)

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Memorandum of Understanding

See attachment: [MOU with the Indiana Supreme Court Judicial Technology and Automation Committee \(JTAC\).pdf](#)

211.9 MOU WITH WLCSC REGARDING THE EMPLOYMENT OF OFF DUTY OFFICERS

The West Lafayette Police Department acknowledges the attached MOU with WLCSC regarding the Employment of Off Duty Officers

See attachment: [2022 MOU WLCSC AND WLPD School Resource Officers.pdf](#)

211.10 MOU WITH PURDUE VISUAL ANALYTICS FOR COMMAND, CONTROL & INTEROPERABILITY ENVIRONMENTS

The West Lafayette Police Department acknowledges the attached MOU with Purdue Visual Analytics for Command, Control & Interoperability Environments

See attachment: [MOU with Purdue Visual Analytics for Command Control and Interoperability Environments.pdf](#)

211.11 MOU WITH FBI

The West Lafayette Police Department acknowledges the attached MOU with FBI

See attachment: [MOU with FBI.pdf](#)

211.12 PROSECUTOR MOU INDIANA MODEL RULE OF PROFESSIONAL CONDUCT

Prosecutor MOU Indiana Model Rule of Professional Conduct: See attachment: [Prosector MOU of IN Model Rule of Professional Conduct.pdf](#)

211.13 FINDLAY HELICOPTER SUPPORT MOU

See attachment: [Findlay Helicopter MOU.pdf](#)

211.14 HEARTFORD HOUSE MOU

See attachment: [Heartford House 2019 MOU.pdf](#)

211.15 WLPD SOCIAL SERVICES & CRISIS RESPONSE SPECIALIST AND WLCSC MOU

See attachment: [WLPD Social Service and Crisis Response Specialist and WLCSC MOU.pdf](#)

211.16 JURISDICTIONAL MOU BETWEEN WLPD AND PUPD

See attachment: [2023 Jurisdictional MOU Between WLPD and PUPD.pdf](#)

211.17 JDAI (JUVENILE DETENTION ALTERNATIVES INITIATIVE) AND WLPD MOU

See attachment: [MOU Between JDAI and WLPD.pdf](#)

Emergency Management Plan Procedures

212.1 PURPOSE AND SCOPE

The purpose of this procedure is to provide members guidance in the operation of emergency management.

212.2 EMERGENCY MANAGEMENT PLAN

In accordance with the Emergency Operations Plan Policy, this plan shall supplement the policy for operations in emergency situations with the primary source being the county, state, or federal emergency operations plan enacted by the responsible emergency management agency.

This plan will supplement the plans of county, state, or federal agencies, and may be used for unusual occurrences or critical incidents, which may include:

- (a) Natural disasters.
- (b) Manmade disasters.
- (c) Pandemics.
- (d) Civil disturbances.
- (e) Significant criminal incidents.
- (f) Terrorist incidents.
- (g) Other large-scale events.

212.3 RESPONSIBILITIES

The Emergency Operations Plan contains command and control protocol for the following major functions:

- (a) Command
- (b) Operations
- (c) Planning
- (d) Logistics
- (e) Administration

212.3.1 COMMAND SECTION

The Command Section shall account for the following functional areas or responsibilities:

- (a) Establishing an incident commander
- (b) Establishing a field command post
- (c) Determining if additional resources are required
- (d) Requesting mutual aid, when necessary, in accordance with the Outside Agency Assistance Policy

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1. If an incident exceeds the limits of this department, the County Emergency Management Agency should be notified, and additional resources coordinated through them.
- (e) Establishing a Public Information Officer in accordance with the Media Relations Policy
- (f) Assigning a Safety Officer, if required
- (g) Establishing an official or functional liaison officer
- (h) Completing an After-Action Report for each significant incident requiring the activation of this plan in accordance with the Emergency Operations Plan Policy.

212.3.2 OPERATIONS SECTION

The Operations Section shall coordinate the organization, assignment, and supervision of tactical field resources to include:

- (a) Establishing and supervising any staging area, when necessary.
- (b) Establishing inner and outer perimeters.
- (c) Maintaining a manageable span of control.
- (d) Managing any evacuation of the affected area, when necessary.
- (e) Managing traffic.

212.3.3 PLANNING SECTION

The Planning Section shall be responsible for coordinating gathering, analyzing, and disseminating information and intelligence, and includes:

- (a) Managing the planning process.
- (b) Compiling the incident action plan.
- (c) Managing technical specialists.
- (d) Preparing a demobilization plan.

212.3.4 LOGISTICS SECTION

The Logistics Section shall be responsible for the following:

- (a) Communications
- (b) Medical support to incident personnel
- (c) Food and water for incident personnel
- (d) Supplies
- (e) Facilities
- (f) Ground support

212.3.5 ADMINISTRATION AND FINANCE SECTION

The Administration and Finance Section shall account for the following functional areas or responsibilities:

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- (a) Financial and cost summaries and/or analyses
- (b) Overseeing contract negotiations, when required
- (c) Tracking personnel and equipment time
- (d) Tracking costs of equipment and consumable supplies
- (e) Processing of claims for accidents, injuries, and liability issues

Chapter 3 - General Operations

Use of Force

300.1 PURPOSE AND SCOPE

This policy provides guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, every member of this department is expected to use these guidelines to make such decisions in a professional, impartial, and reasonable manner.

In addition to those methods, techniques, and tools set forth below, the guidelines for the reasonable application of force contained in this policy shall apply to all policies addressing the potential use of force, including but not limited to the Control Devices and Conducted Energy Device policies.

300.1.1 DEFINITIONS

Definitions related to this policy include:

Deadly force - Force reasonably anticipated and intended to create a substantial likelihood of causing death or very serious injury.

Feasible - Reasonably capable of being done or carried out under the circumstances to successfully achieve the arrest or lawful objective without increasing risk to the officer or another person.

Force - The application of physical techniques or tactics, chemical agents, or weapons to another person. It is not a use of force when a person allows him/herself to be searched, escorted, handcuffed, or restrained.

Imminent - Ready to take place; impending. Note that imminent does not mean immediate or instantaneous.

Totality of the circumstances - All facts and circumstances known to the officer at the time, taken as a whole, including the conduct of the officer and the subject leading up to the use of force.

300.2 POLICY

The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.

Officers must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties.

The West Lafayette Police Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation and a careful balancing of all interests.

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Use of Force

300.2.1 DUTY TO INTERCEDE

Any officer, regardless of rank or tenure, who observes another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force. Any officer who fails to intercede shall be subject to discipline to the same severity as if they themselves engaged in the prohibited use of force. An officer who observes another employee use force that exceeds the degree of force permitted by law should promptly report these observations to a supervisor.

300.2.2 PERSPECTIVE

When observing or reporting force used by a law enforcement officer, each officer should take into account the totality of the circumstances and the possibility that other law enforcement officers may have additional information regarding the threat posed by the subject.

300.3 USE OF FORCE

Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose. This policy shall not be construed to require officers to assume unreasonable risks to themselves.

The reasonableness of force will be judged from the perspective of a reasonable officer on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain and rapidly evolving.

Given that no policy can realistically predict every possible situation an officer might encounter, officers are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident.

It is also recognized that circumstances may arise in which officers reasonably believe that it would be impractical or ineffective to use any of the tools, weapons or methods provided by this department. Officers may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.

While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires an officer to retreat or be exposed to possible physical injury before applying reasonable force.

300.3.1 USE OF FORCE TO EFFECT AN ARREST

An officer may use reasonable force to (I.C. § 35-41-3-3):

- (a) Effect a lawful arrest.
- (b) Prevent escape.

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300.3.2 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

When determining whether to apply force and evaluating whether an officer has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit.

These factors include but are not limited to:

- (a) Immediacy and severity of the threat to officers or others.
- (b) The conduct of the individual being confronted, as reasonably perceived by the officer at the time.
- (c) Officer/subject factors (e.g., age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers available vs. subjects).
- (d) The effects of suspected drug or alcohol use.
- (e) The individual's mental state or capacity.
- (f) The individual's ability to understand and comply with officer commands.
- (g) Proximity of weapons or dangerous improvised devices.
- (h) The degree to which the individual has been effectively restrained and his/her ability to resist despite being restrained.
- (i) The availability of other reasonable and feasible options and their possible effectiveness.
- (j) Seriousness of the suspected offense or reason for contact with the individual.
- (k) Training and experience of the officer.
- (l) Potential for injury to officers, suspects, and others.
- (m) Whether the individual appears to be resisting, attempting to evade arrest by flight, or is attacking the officer.
- (n) The risk and reasonably foreseeable consequences of escape.
- (o) The apparent need for immediate control of the individual or a prompt resolution of the situation.
- (p) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.
- (q) Prior contacts with the individual or awareness of any propensity for violence.
- (r) Any other exigent circumstances.

300.3.3 PAIN COMPLIANCE TECHNIQUES

Pain compliance techniques may be effective in controlling a physically or actively resisting individual. Officers may only apply those pain compliance techniques for which they have successfully completed department-approved training. Officers utilizing any pain compliance technique should consider:

- (a) The degree to which the application of the technique may be controlled given the level of resistance.

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- (b) Whether the individual can comply with the direction or orders of the officer.
- (c) Whether the individual has been given sufficient opportunity to comply.

The application of any pain compliance technique shall be discontinued once the officer determines that compliance has been achieved.

300.3.4 USE OF FORCE TO SEIZE EVIDENCE

In general, officers may use reasonable force to lawfully seize evidence and to prevent the destruction of evidence. However, officers are discouraged from using force solely to prevent a person from swallowing evidence or contraband. Officers are encouraged to use techniques and methods taught by the West Lafayette Police Department for this specific purpose.

300.3.5 ALTERNATIVE TACTICS - DE-ESCALATION

When circumstances reasonably permit, officers should use non-violent strategies and techniques to decrease the intensity of a situation, improve decision-making, improve communication, reduce the need for force, and increase voluntary compliance (e.g., summoning additional resources, formulating a plan, attempting verbal persuasion).

300.4 DEADLY FORCE APPLICATIONS

When reasonable, the officer shall, prior to the use of deadly force, make efforts to identify him/herself as a peace officer and to warn that deadly force may be used, unless the officer has objectively reasonable grounds to believe the person is aware of those facts.

Use of deadly force is justified in the following circumstances involving imminent threat or imminent risk:

- (a) An officer may use deadly force to protect him/herself or others from what he/she reasonably believes is an imminent threat of death or serious bodily injury.
- (b) An officer may use deadly force to stop a fleeing subject when the officer has probable cause to believe that the individual has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious bodily injury or death, and the officer reasonably believes that there is an imminent risk of serious bodily injury or death to any other person if the individual is not immediately apprehended. Under such circumstances, a verbal warning should precede the use of deadly force, where feasible.
- (c) Unless deadly force is justified, officers should not intentionally use any technique that restricts blood flow to the head, restricts respiration or which creates a reasonable likelihood that blood flow to the head or respiration would be restricted.

Imminent does not mean immediate or instantaneous. An imminent danger may exist even if the suspect is not at that very moment pointing a weapon at someone. For example, an imminent danger may exist if an officer reasonably believes that the individual has a weapon or is attempting to access one and intends to use it against the officer or another person. An imminent danger may also exist if the individual is capable of causing serious bodily injury or death without a weapon, and the officer believes the individual intends to do so (I.C. § 35-41-3-3).

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An officer may use deadly force to stop a fleeing subject when the officer has probable cause to believe that the individual has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious bodily injury or death, and the officer reasonably believes that there is an imminent risk of serious bodily injury or death to any other person if the individual is not immediately apprehended. Under such circumstances, a verbal warning should precede the use of deadly force, where feasible.

300.4.1 SHOOTING AT OR FROM MOVING VEHICLES

Shots fired at or from a moving vehicle are rarely effective. Officers should move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others.

Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle.

300.4.2 POINTING OF FIREARM

No member of the West Lafayette Police Department shall draw and point a firearm at or in the direction of another person unless there is a reasonable perception of a substantial use of force risk that the situation may escalate to the point where deadly force would be permitted.

When it is determined that the use of deadly force is not necessary, as soon as practicable, firearms shall be holstered and secured.

Drawing and pointing a firearm at or in the direction of a person is a reportable incident. Members of the West Lafayette Police Department shall notify a supervisor and properly document the incident with a report.

Exception:

1. Department members operating within the Special Response Team during the course of a SWAT incident.
2. Department members who point a firearm at a person during any department-authorized training.

300.5 REPORTING THE USE OF FORCE

Any use of force by a member of this department shall be documented promptly, completely, and accurately in an appropriate report and use of force form report. The officer should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances.

To collect data for purposes of training, resource allocation, analysis, and related purposes, the Department may require the completion of additional report forms, as specified in department policy, procedure, or law. See the Report Preparation Policy for additional circumstances that may require documentation.

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300.5.1 USE OF FORCE CLASSIFICATION

Class 1: Non-injurious Use of Physical Force, Baton, Chemical agent, Taser, or Vehicle.

Class 2: Injurious Use of Physical Force, Baton, Chemical Agent, Taser, or Vehicle, and including injurious or non-injurious discharging of a firearm.

Class 3: Serious Bodily Injury or Fatal Use of Deadly Force using any weapon or item

300.5.2 NOTIFICATIONS TO SUPERVISORS

Supervisory notification shall be made as soon as practicable following the application of force in any of the following circumstances:

- (a) Any force used beyond soft empty hand control.
- (b) The application caused a visible injury.
- (c) The application would lead a reasonable officer to conclude that the individual may have experienced more than momentary discomfort.
- (d) The individual subjected to the force complained of injury or continuing pain.
- (e) The individual indicates intent to pursue litigation.
- (f) Any application of the conducted energy device or control device.
- (g) Any application of a restraint device other than handcuffs, shackles, or belly chains.
- (h) The individual subjected to the force was rendered unconscious.
- (i) An individual was struck or kicked.
- (j) An individual alleges unreasonable force was used or that any of the above has occurred.

300.5.3 CAPTAIN OF SPECIAL SERVICES RESPONSIBILITIES

All Use of Force Reports will be forwarded by the supervisor to the Captain of Special Services. The Captain of Special Services shall:

1. Review all said reports and make a determination if officer's actions were within the guidelines of policy and procedure.

2. Forward all said reports to a Use of Force instructor for review.

a) The Use of Force instructor shall review all reports.

b) The Use of Force instructor shall make a determination if the force used is within the guidelines of department training.

c) The Use of Force instructor shall return said documents to the Captain of Special Services with their approval and/or recommendations

3. Makes a determination and documents whether the use of force is appropriate and within policy. If further investigation is needed by Internal Affairs, the entire case will be forwarded to the Chief of Police.

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300.6 MEDICAL CONSIDERATIONS

Once it is reasonably safe to do so, medical assistance shall be obtained for any person who exhibits signs of physical distress, has sustained visible injury, expresses a complaint of injury or continuing pain, or was rendered unconscious. Any individual exhibiting signs of physical distress after an encounter should be continuously monitored until the individual can be medically assessed. Individuals should not be placed on their stomachs for an extended period, as this could impair their ability to breathe.

Based upon the officer's initial assessment of the nature and extent of the individual's injuries, medical assistance may consist of examination by an emergency medical services provider or medical personnel at a hospital or jail. If any such individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practicable, should be witnessed by another officer and/or medical personnel. If a recording is made of the contact or an interview with the individual, any refusal should be included in the recording, if possible.

The on-scene supervisor or, if the on-scene supervisor is not available, the primary handling officer shall ensure that any person providing medical care or receiving custody of a person following any use of force is informed that the person was subjected to force. This notification shall include a description of the force used and any other circumstances the officer reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

Individuals who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics, and imperviousness to pain, or who require a protracted physical encounter with multiple officers to be brought under control, may be at an increased risk of sudden death. Calls involving these persons should be considered medical emergencies. Officers who reasonably suspect a medical emergency should request medical assistance as soon as practicable and have medical personnel stage away.

See the Medical Aid and Response Policy for additional guidelines.

300.7 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to a reported application of force resulting in visible injury, if reasonably available. When a supervisor is able to respond to an incident in which there has been a reported application of force, the supervisor is expected to:

- (a) Obtain the basic facts from the involved officers. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.
- (b) Ensure that any injured parties are examined and treated.
- (c) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas.
 1. These photographs should be retained until all potential for civil litigation has expired.

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- (d) Identify any witnesses not already included in related reports.
- (e) Review and approve all related reports for accuracy.
- (f) An officer involved in any use of force which has resulted in a death or serious physical injury will be removed from line-duty assignment during the administrative review of the incident in order to:
1. Protect the public's interest and
2. Protect the officer from possible confrontation.
- (g) Forward all documentation to the Administrative Staff.

In the event that a supervisor is unable to respond to the scene of an incident involving the reported application of force, the supervisor is still expected to complete as many of the above items as circumstances permit.

300.7.1 SHIFT SUPERVISOR RESPONSIBILITY

The Shift Supervisor shall review each use of force by any personnel within his/her command to ensure compliance with this policy and to address any training issues.

The Chief of Police or designee will investigate all use of force incidents. The investigation should result in findings of the following:

1. Relevant facts and circumstances surrounding the incident.
2. Was the use of force reasonably necessary, under the known circumstances, and in compliance with departmental rules, policies, directives, and training; and
3. What, if any, injuries are evident or alleged.

300.8 TRAINING

Officers will minimally receive semiannual training on this policy and demonstrate their knowledge and understanding.

Subject to available resources, officers should receive periodic training on:

- (a) Guidelines regarding vulnerable populations, including but not limited to children, elderly, pregnant persons, and individuals with physical, mental, or intellectual disabilities.
- (b) De-escalation tactics, including alternatives to force.

300.8.1 ADDITIONAL IN-SERVICE TRAINING

Officers shall minimally receive semiannual in-service training on the use of force.

300.9 USE OF FORCE ANALYSIS

At least annually, the Captain of Special Services should prepare an analysis report on use of force incidents. This report should be submitted to the Chief of Police. The report should include:

- (a) The identification of any trends in the use of force by members.
- (b) Any applicable training recommendations.
- (c) Any applicable equipment recommendations.

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- (d) Any recommended policy revisions.

Handcuffing and Restraints

301.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of handcuffs and other restraints during detentions and arrests.

301.2 POLICY

The West Lafayette Police Department authorizes the use of restraint devices in accordance with this policy, the Use of Force Policy and department training. Restraint devices shall not be used to punish, to display authority or as a show of force.

301.3 USE OF RESTRAINTS

Only members who have successfully completed West Lafayette Police Department-approved training on the use of restraint devices described in this policy are authorized to use these devices.

The West Lafayette Police Department authorizes the carry and use of the following police restraints:

1. Handcuffs
2. Flex cuffs
3. Leg restraints

When deciding whether to use any restraint, officers should carefully balance officer safety concerns with factors that include, but are not limited to:

- The circumstances or crime leading to the arrest.
- The demeanor and behavior of the arrested person.
- The age and health of the person.
- Whether the person is known to be pregnant.
- Whether the person has a hearing or speaking disability. In such cases, consideration should be given, safety permitting, to handcuffing to the front in order to allow the person to sign or write notes.
- Whether the person has any other apparent disability.

Restraints may be used in an attempt to minimize the risk of personal injury to officers and citizens during police operations, all members will handcuff, as soon as possible:

1. All persons subject to lawful custodial arrest
2. Persons stopped for investigations when an officer has a reasonable suspicion, based on articulable facts that the person has committed a crime, and a reasonable suspicion based on articulable facts that the person:
 - a Will flee if not restrained.

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b. Might present an immediate threat of serious physical injury to the officer or another person if not restrained

c. is, or the officer reasonably suspects based on articulable facts that the person will be, physically uncooperative with the officer in a way that interferes with the officer's ability to pursue the investigation or conduct the stop safely if the person is not restrained.

301.3.1 RESTRAINT OF DETAINEES

Situations may arise where it may be reasonable to restrain a person who may, after brief investigation, be released without arrest. Unless arrested, the use of restraints on detainees should continue only for as long as is reasonably necessary to ensure the safety of officers and others. When deciding whether to remove restraints from a detainee, officers should continuously weigh the safety interests at hand against the continuing intrusion upon the detainee.

301.3.2 RESTRAINT OF PREGNANT PERSONS

Persons who are known to be pregnant should be restrained in the least restrictive manner that is effective for officer safety and in no event shall these persons be restrained by the use of leg irons, waist chains or handcuffs behind the body.

No person who is in labor, delivery or recovery after delivery shall be handcuffed or restrained except in extraordinary circumstances and only when a supervisor makes an individualized determination that such restraints are necessary for the safety of the arrestee, officers or others.

301.3.3 RESTRAINT OF JUVENILES

A juvenile under 12 years of age should generally not be restrained unless he/she is suspected of a dangerous felony or when the officer has a reasonable suspicion that the juvenile may resist, attempt escape, injure him/herself, injure the officer or damage property.

301.4 APPLICATION OF HANDCUFFS OR PLASTIC CUFFS

Handcuffs, including temporary nylon or plastic cuffs, may be used only to restrain a person's hands to ensure officer safety.

Officers should:

1. Secure the restraints behind the subject's back in a safe and effective manner whenever possible.
2. Gap and double-lock restraints, when safely possible, in order to minimize the risk of injury to the restrained person.
3. Use reasonable judgment regarding appropriate restraint methods when handcuffing/restraining excessively large or small individuals and any other circumstances where conventional restraints and methods are not possible or advisable.

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In situations where one pair of handcuffs does not appear sufficient to restrain the person or may cause unreasonable discomfort due to the person's size, officers should consider alternatives, such as using an additional set of handcuffs or multiple plastic cuffs.

Handcuffs should be removed as soon as it is reasonable or after the person has been searched and is safely confined within a detention facility.

Officers will not use police restraints to "Hog tie" subjects by connecting the subject's bound legs directly to the restraints on their wrists. Officers will not use police restraints to inflict pain or punishment on the restrained subject unless the use of pain compliance techniques are justified as defined in policy.

301.5 APPLICATION OF SPIT HOODS

Spit hoods are temporary protective devices designed to prevent the wearer from biting and/or transferring or transmitting fluids (saliva and mucous) to others.

Spit hoods may be placed upon persons in custody when the officer reasonably believes the person will bite or spit, either on a person or in an inappropriate place. They are generally used during application of a physical restraint, while the person is restrained, or during or after transport.

Officers utilizing spit hoods should ensure that the spit hood is fastened properly to allow for adequate ventilation and that the restrained person can breathe normally. Officers should provide assistance during the movement of a restrained person due to the potential for impairing or distorting that person's vision. Officers should avoid comingling those wearing spit hoods with other detainees.

Spit hoods should not be used in situations where the restrained person is bleeding profusely from the area around the mouth or nose, or if there are indications that the person has a medical condition, such as difficulty breathing or vomiting. In such cases, prompt medical care should be obtained. If the person vomits while wearing a spit hood, the spit hood should be promptly removed and discarded. Persons who have been sprayed with oleoresin capicum (OC) spray should be thoroughly decontaminated, including hair, head and clothing, prior to application of a spit hood.

Those who have been placed in a spit hood should be continually monitored and shall not be left unattended until the spit hood is removed. Spit hoods shall be discarded after each use.

301.6 APPLICATION OF AUXILIARY RESTRAINT DEVICES

Auxiliary restraint devices include transport belts, waist or belly chains, transportation chains, leg irons and other similar devices. Auxiliary restraint devices are intended for use during long-term restraint or transportation. They provide additional security and safety without impeding breathing, while permitting adequate movement, comfort and mobility.

Only department-authorized devices may be used. Any person in auxiliary restraints should be monitored as reasonably appears necessary.

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301.7 APPLICATION OF LEG RESTRAINT DEVICES

Leg restraints may be used to restrain the legs of a violent or potentially violent person when it is reasonable to do so during the course of detention, arrest or transportation. Only restraint devices approved by the Department shall be used.

In determining whether to use the leg restraint, officers should consider:

- (a) Whether the officer or others could be exposed to injury due to the assaultive or resistant behavior of a person.
- (b) Whether it is reasonably necessary to protect the person from his/her own actions (e.g., hitting his/her head against the interior of the patrol vehicle, running away from the arresting officer while handcuffed, kicking at objects or officers).
- (c) Whether it is reasonably necessary to avoid damage to property (e.g., kicking at windows of the patrol vehicle).

301.7.1 GUIDELINES FOR USE OF LEG RESTRAINTS

When applying leg restraints the following guidelines should be followed:

- (a) Once applied, absent a medical or other emergency, restraints should remain in place until the officer arrives at the jail or other facility or the person no longer reasonably appears to pose a threat.
- (b) Once secured, the person should be placed in a seated or upright position, secured with a seat belt, and shall not be placed on his/her stomach for an extended period, as this could reduce the person's ability to breathe.
- (c) The restrained person should be continually monitored by an officer while in the leg restraint. The officer should ensure that the person does not roll onto and remain on his/her stomach.
- (d) The officer should look for signs of labored breathing and take appropriate steps to relieve and minimize any obvious factors contributing to this condition.
- (e) When transported by emergency medical services, the restrained person should be accompanied by an officer when requested by medical personnel. The transporting officer should describe to medical personnel any unusual behaviors or other circumstances the officer reasonably believes would be potential safety or medical risks to the person (e.g., prolonged struggle, extreme agitation, impaired respiration).

301.8 REQUIRED DOCUMENTATION

If a person is arrested, the use of restraints other than handcuffs shall be documented in the related report. The officer should include, as appropriate:

- (a) The amount of time the person was restrained.
- (b) How the person was transported and the position of the person during transport.

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- (c) Observations of the person's behavior and any signs of physiological problems.
- (d) Any known or suspected drug use or other medical problems.

Control Devices

302.1 PURPOSE AND SCOPE

This policy provides guidelines for the use and maintenance of control devices that are described in this policy.

302.2 POLICY

In order to control individuals who are violent or who demonstrate the intent to be violent, the West Lafayette Police Department authorizes officers to use control devices in accordance with the guidelines in this policy and the Use of Force Policy. The Chief of Police may also authorize other positions or individual department members to use specific control devices.

302.3 ISSUING, CARRYING AND USING CONTROL DEVICES

Control devices described in this policy may be carried and used by members of this department only if the device has been issued by the Department or approved by the Chief of Police or the authorized designee.

Only those members who have successfully completed department-approved training in the use of any control device are authorized to carry and use the device.

Control devices may be used when a decision has been made to control, restrain or arrest a person who is violent or who demonstrates the intent to be violent and the use of the device appears reasonable under the circumstances. When reasonable, a verbal warning and opportunity to comply should precede the use of these devices.

The West Lafayette Police Department also recognizes that the tense, uncertain, and rapidly evolving situations officers encounter may require the use of improvised and/or unconventional devices to resolve. In order to effect a lawful objective officers are authorized to:

1. Use, under certain conditions, whatever issued or available instrument is needed at the time.
2. The reasonable use of such instruments is authorized, and will be reviewed, under the same standards, practices, and training as department issued or authorized impact devices.

This policy shall not be construed to require officers to assume unreasonable risks to themselves. The reasonableness of an officer's decision to use less lethal weapons must be viewed from the perspective of the officer on the scene without the benefit of 20/20 hindsight. Allowance must be made for the fact that officers are often forced to make split second decisions in circumstances that are tense, uncertain, and rapidly evolving.

The West Lafayette Police Department does not require officers to employ a less lethal weapon if the use of lethal force is justified, and the deployment or use of a less lethal weapon creates an unnecessary risk of serious bodily injury or death to the officer or another person.

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The head of the defensive tactics training unit shall control the inventory and issuance of all control devices and shall ensure that all damaged, inoperative, outdated or expended control devices or munitions are properly disposed of, repaired or replaced.

Every control device will be periodically inspected by the head of the defensive tactics training unit or the designated instructor for a particular control device. The inspection shall be documented.

302.4 RESPONSIBILITIES

302.4.1 USER RESPONSIBILITIES

All normal maintenance, charging or cleaning shall remain the responsibility of personnel using the various devices.

Any damaged, inoperative, outdated or expended control devices or munitions, along with documentation explaining the cause of the damage, shall be reported to their shift commander. Documentation shall also be forwarded through the chain of command, when appropriate, explaining the cause of damage.

302.5 BATON GUIDELINES

The need to immediately control a suspect must be weighed against the risk of causing serious injury. The head, neck, throat, spine, heart, kidneys and groin should not be intentionally targeted except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to him/herself or others.

When carrying a baton, uniformed personnel shall carry the baton in its authorized holder on the equipment belt. Plainclothes and non-field personnel may carry the baton as authorized and in accordance with the needs of their assignments or at the direction of their supervisors.

302.6 TEAR GAS GUIDELINES

Tear gas may be used for crowd control, crowd dispersal or against barricaded suspects based on the circumstances. Only the Shift Supervisor, Incident Commander or Special Response Team Commander may authorize the delivery and use of tear gas, and only after evaluating all conditions known at the time and determining that such force reasonably appears justified and necessary.

When practicable, fire and emergency medical services personnel should be alerted or summoned to the scene prior to the deployment of tear gas to control any fires and to assist in providing medical aid or gas evacuation, if needed.

302.6.1 CHEMICAL MUNITIONS

Chemical agents dispersed in liquid, gas, or powder form and defined as intermediate less lethal weapons as a use of force option. They are designed to result in temporary dysfunction without causing permanent physical injury.

302.6.2 AUTHORIZED CHEMICAL MUNITIONS

The West Lafayette Police Department authorizes the use of the following delivery methods for Chemical Munitions:

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1. 12-gauge shotgun
2. 37MM and 40MM less lethal and chemical munitions launchers
3. Hand-tossed or launchable grenades

302.7 OLEORESIN CAPSICUM (OC) GUIDELINES

As with other control devices, OC spray and pepper projectiles may be considered for use to bring under control an individual or group of individuals who are engaging in, or are about to engage in, violent behavior. Pepper projectiles and OC spray should not, however, be used against individuals or groups who merely fail to disperse or do not reasonably appear to present a risk to the safety of department members or the public.

302.7.1 OC SPRAY

Uniformed members carrying OC spray shall carry the device in its holster on the equipment belt. Plainclothes and non-field members may carry OC spray as authorized, in accordance with the needs of their assignments or at the direction of their supervisors.

302.7.2 TREATMENT FOR OC EXPOSURE

Persons who have been sprayed with or otherwise affected by the use of OC should be promptly provided with clean water to cleanse the affected areas. Those who complain of further severe effects shall be examined by appropriate medical personnel.

Officers will ensure when transporting prisoners who are known to have been subjected to any chemical spray that the prisoner is not placed in a prone position and stays upright with a clear airway to avoid possible positional asphyxia.

302.8 POST-APPLICATION NOTICE

Whenever tear gas or OC has been introduced into a residence, building interior, vehicle or other enclosed area, the owners or available occupants should be provided with notice of the possible presence of residue which could result in irritation or injury if the area is not properly cleaned. Such notice should include advisement that cleanup will be at the owner's expense. Information regarding how and when the notice was delivered and the individuals notified should be included in related reports.

302.9 KINETIC ENERGY PROJECTILE GUIDELINES

This department is committed to reducing the potential for violent confrontations. Kinetic energy projectiles, when used properly, are less likely to result in death or serious physical injury and can be used in an attempt to de-escalate a potentially deadly situation.

302.9.1 DEPLOYMENT AND USE

Only department-approved kinetic energy munitions shall be carried and deployed. Approved munitions may be used to compel an individual to cease his/her actions when such munitions present a reasonable option.

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Officers are not required or compelled to use approved munitions in lieu of other reasonable tactics if the involved officer determines that deployment of these munitions cannot be done safely. The safety of hostages, innocent persons and officers takes priority over the safety of individuals engaged in criminal or suicidal behavior.

Circumstances appropriate for deployment include, but are not limited to, situations in which:

- (a) The suspect is armed with a weapon and the tactical circumstances allow for the safe application of approved munitions.
- (b) The suspect has made credible threats to harm him/herself or others.
- (c) The suspect is engaged in riotous behavior or is throwing rocks, bottles or other dangerous projectiles at officers, other department members and/or other people.
- (d) There is probable cause to believe that the suspect has already committed a crime of violence and is refusing to comply with lawful orders.

Officers will not use Extended Range Impact Munitions on subjects who are exhibiting only verbal resistance and/or passive resistance and make no overt indication of further aggressive or resistive behavior. Officers will not use Extended Range Impact Munitions on subjects who are under physical restraint (i.e., handcuffed), unless the subject is still violently resisting and lesser means of controlling the subject have failed.

302.9.2 DEPLOYMENT CONSIDERATIONS

Before discharging projectiles, the officer should consider such factors as:

- (a) Distance and angle to target.
- (b) Type of munitions employed.
- (c) Type and thickness of subject's clothing.
- (d) The subject's proximity to others.
- (e) The location of the subject.
- (f) Whether the subject's actions dictate the need for an immediate response and the use of control devices appears appropriate.

A verbal warning of the intended use of the device should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to give the individual a reasonable opportunity to voluntarily comply and to warn other officers and individuals that the device is being deployed.

Officers should keep in mind the manufacturer's recommendations and their training regarding effective distances and target areas. However, officers are not restricted solely to use according to manufacturer recommendations. Each situation must be evaluated on the totality of circumstances at the time of deployment.

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The need to immediately incapacitate the suspect must be weighed against the risk of causing serious injury or death. The head and neck should not be intentionally targeted, except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.

302.9.3 SAFETY PROCEDURES

Shotguns specifically designated for use with kinetic energy projectiles will be specially marked in a manner that makes them readily identifiable as such.

Officers will inspect shotguns and projectiles at the beginning of each shift to ensure that the shotguns are in proper working order and the projectiles are of the approved type and appear to be free from defects.

When they are not deployed, shotguns will be unloaded and properly and securely stored in police department vehicles. When deploying a kinetic energy projectile shotgun, officers shall visually inspect the kinetic energy projectiles to ensure that conventional ammunition is not being loaded into the shotgun.

Absent compelling circumstances, officers who must transition from conventional ammunition to kinetic energy projectiles will employ the two-person rule for loading. The two-person rule is a safety measure in which a second officer watches the unloading and loading process to ensure that the weapon is completely emptied of conventional ammunition.

302.10 TRAINING FOR CONTROL DEVICES

The Training Officer shall ensure that those members who are authorized to carry a control device have been properly trained and certified to carry the specific control device and are retrained or recertified as necessary. Before being authorized to carry any control device, members will be given access to and receive training on this policy.

- (a) Proficiency training shall be monitored and documented by a certified, control-device weapons or tactics instructor.
- (b) All training and proficiency for control devices will be documented in the member's training file.
- (c) Members who fail to demonstrate proficiency with the control device or knowledge of the Use of Force Policy will be provided remedial training. If a member cannot demonstrate proficiency with a control device or knowledge of the Use of Force Policy after remedial training, the member will be restricted from carrying the control device and may be subject to discipline.
- (d) Retraining or recertification should occur at least biennially.

302.11 REPORTING USE OF CONTROL DEVICES

Any application of a control device shall be documented in the related incident report and reported pursuant to the Use of Force Policy.

Conducted Energy Device

303.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of the conducted energy device (CED).

303.2 POLICY

The CED is used in an attempt to control a violent or potentially violent individual. The appropriate use of such a device may result in fewer serious injuries to officers and suspects.

303.3 ISSUANCE AND CARRYING CEDS

Only members who have successfully completed department-approved training may be issued and may carry the CED.

The CED Instructor should keep a log of issued CED devices and the serial numbers of cartridges/magazines issued to members.

CEDs are issued for use during a member's current assignment. Those leaving a particular assignment may be required to return the device to the department inventory.

Officers shall only use the CED and cartridges/magazines that have been issued by the Department. All devices must be inspected and approved by the CED Instructor. Cartridges/magazines should not be used after the manufacturer's expiration date.

Uniformed officers who have been issued the CED shall wear the device in an approved holster.

Officers who carry the CED while in uniform shall carry it in a holster on the side opposite the duty weapon.

- (a) All CEDs shall be clearly distinguishable to differentiate them from the duty weapon and any other device.
- (b) For single-shot devices, whenever practicable, officers should carry an additional cartridge on their person when carrying the CED.
- (c) Officers should not hold a firearm and the CED at the same time.

Non-uniformed officers may secure the CED in a concealed, secure location in the driver's compartment of their vehicles.

303.3.1 TASER DEVICE MANAGEMENT

WLPD-certified Taser instructor(s), under supervision of the Chief of Police, shall be responsible for the issuance and safe storage of the Taser devices.

If a Taser device Digital Power Magazine (DPM) reaches 20% or below, it should not be issued or re-used until the DPM is replaced[DB3] .

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303.3.2 USER RESPONSIBILITIES

Officers shall be responsible for ensuring that the issued CED is properly maintained and in good working order. This includes a function test and battery life monitoring, as required by the manufacturer, and should be completed prior to the beginning of the officer's shift.

CEDs that are damaged or inoperative, or cartridges/magazines that are expired or damaged, shall be returned to the Rangemaster for disposition. Officers shall submit documentation stating the reason for the return and how the CED or cartridge/magazine was damaged or became inoperative, if known.

303.4 VERBAL AND VISUAL WARNINGS

A verbal warning of the intended use of the TASER device should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to:

- (a) Provide the individual with a reasonable opportunity to voluntarily comply.
- (b) Provide other officers and individuals with a warning that the TASER device may be deployed.

The aiming laser should not be intentionally directed into anyone's eyes.

The fact that a verbal or other warning was given or the reasons it was not given shall be documented by the officer deploying the TASER device in the related report.

303.5 USE OF THE CED

The CED has limitations and restrictions requiring consideration before its use. The CED should only be used when its operator can safely deploy the device within its operational range. Although the CED may be effective in controlling most individuals, officers should be aware that the device may not achieve the intended results and be prepared with other options.

If sufficient personnel are available and can be safely assigned, an officer designated as lethal cover for any officer deploying a CED may be considered for officer safety.

303.5.1 APPLICATION OF THE CED

The CED may be used when the circumstances reasonably perceived by the officer at the time indicate that such application reasonably appears necessary to control a person who:

- (a) Is violent or is physically resisting.
- (b) Has demonstrated, by words or action, an intention to be violent or to physically resist, and reasonably appears to present the potential to harm officers, themselves, or others.

Mere flight from a pursuing officer, without additional circumstances or factors, is not good cause for the use of the CED to apprehend an individual.

The CED shall not be used to psychologically torment, to elicit statements, or to punish any individual.

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303.5.2 SPECIAL DEPLOYMENT CONSIDERATIONS

The use of the CED on certain individuals should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the officer, the subject, or others, and the officer reasonably believes that the need to control the individual outweighs the potential risk of using the device. This includes:

- (a) Individuals who are known to be pregnant.
- (b) Elderly individuals or obvious juveniles.
- (c) Individuals with obviously low body mass.
- (d) Individuals who are handcuffed or otherwise restrained.
- (e) Individuals known to have been recently sprayed with a flammable chemical agent or who are otherwise known to be in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capsicum (OC) spray.
- (f) Individuals whose position or activity is likely to result in collateral injury (e.g., falls from height, located in water, operating vehicles).

Any CED capable of being applied in the drive-stun mode (i.e., direct contact without probes as a primary form of pain compliance) should be limited to supplementing the probe-mode to complete the circuit, or as a distraction technique to gain separation between officers and the subject, thereby giving officers time and distance to consider other force options or actions.

303.5.3 TARGETING CONSIDERATIONS

Recognizing that the dynamics of a situation and movement of the subject may affect target placement of probes, when practicable, officers should attempt to target the back, lower center mass, and upper legs of the subject, and avoid intentionally targeting the head, neck, area of the heart, or genitals. If circumstances result in one or more probes inadvertently striking an area outside of the preferred target zones, the individual should be closely monitored until examined by paramedics or other medical personnel.

303.5.4 MULTIPLE APPLICATIONS OF THE CED

Once an officer has successfully deployed two probes on the subject, the officer should continually assess the subject to determine if additional probe deployments or cycles reasonably appear necessary. Additional factors officers may consider include but are not limited to:

- (a) Whether it is reasonable to believe that the need to control the individual outweighs the potentially increased risk posed by multiple applications.
- (b) Whether the probes are making proper contact.
- (c) Whether the individual has the ability and has been given a reasonable opportunity to comply.
- (d) Whether verbal commands or other options or tactics may be more effective.

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Given that on certain devices (e.g., TASER 10™) each trigger pull deploys a single probe, the officer must pull the trigger twice to deploy two probes to create the possibility of neuro-muscular incapacitation.

303.5.5 ACTIONS FOLLOWING DEPLOYMENTS

Officers should take appropriate actions to control and restrain the individual to minimize the need for longer or multiple exposures to the TASER device. As soon as practicable, officers shall notify a supervisor any time the TASER device has been discharged.

Taser cartridge and probes should be treated as a biohazard. Expended cartridges and probes shall only be destroyed/disposed of at WLPD HQ in a sharps container.

303.5.6 DANGEROUS ANIMALS

The CED may be deployed against an animal if the animal reasonably appears to pose an imminent threat to human safety.

303.5.7 OFF-DUTY CONSIDERATIONS

Officers are not authorized to carry department CEDs while off-duty.

Officers shall ensure that CEDs are secured while in their homes, vehicles, or any other area under their control, in a manner that will keep the device inaccessible to others.

303.6 DOCUMENTATION

When feasible, the following actions should be taken to document a CED (Taser) deployment:

- a. Photograph the locations on the subject's body where the probes penetrated, or current was applied;
- b. Collect and photograph the probes and cartridge, including specific photos of the barbs on each probes and the serial number on the cartridge;
- c. If a CED deployment results in serious injury and/or death, the probes and cartridge shall be retained as evidence.

Officers shall document all CED discharges in the related arrest/crime reports and the RMS Use of Force Reporting Form. Notification shall also be made to a supervisor in compliance with the Use of Force Policy.

303.6.1 REPORTS

The officer should include the following in the arrest/crime report:

- (a) Identification of all personnel firing CEDs
- (b) Identification of all witnesses
- (c) Medical care provided to the subject
- (d) Observations of the subject's physical and physiological actions
- (e) Any known or suspected drug use, intoxication, or other medical problems

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303.7 MEDICAL TREATMENT

Immediately upon gaining control and restraining the subject, the deploying officer will remove the probes using the approved method and universal precautions, and provide basic aftercare (i.e. alcohol swabs, bandages if needed).

Used TASER device probes shall be treated as a sharps biohazard, similar to a used hypodermic needle, and handled appropriately. Universal precautions should be taken.

All persons who have been struck by TASER device probes or who have been subjected to the electric discharge of the device or who sustained direct exposure of the laser to the eyes shall be medically assessed prior to booking. Officers should request that medics make the scene in order to assess the subject to see if further medical treatment is necessary and/or in order to obtain a medical refusal from the subject.

If the subject is going to need a medical clearance due to intoxication prior to booking at the jail, officers may forgo medics making the scene and transport said person directly to the hospital for evaluation. Officers shall notify medical staff that the person has been subjected to the electronic discharge of a Taser device. Officers shall not transport subjects who appear to be in any serious distress or subjects who are bleeding heavily from any sustained injuries. In such an event medics will be called to the scene.

Additionally, any such individual who falls under any of the following categories should, as soon as practicable, be examined by paramedics or other qualified medical personnel:

- (a) The person may be pregnant.
- (b) The person reasonably appears to be in need of medical attention.
- (c) The TASER device probes are lodged in a sensitive area (e.g., groin, female breast, head, face, neck).
- (d) The person requests medical treatment.
- (e) The subject exhibits abnormal behavior (i.e. excited delirium), before or after deploying the Taser.

Any individual exhibiting signs of distress or who is exposed to multiple or prolonged applications (i.e., more than 15 seconds) shall be transported to a medical facility for examination or medically evaluated prior to booking. If any individual refuses medical attention, such a refusal should be witnessed by another officer and/or medical personnel and shall be fully documented in related reports. If an audio recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

The transporting officer shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the TASER device (see the Medical Aid and Response Policy).

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303.8 TRAINING

Personnel who are authorized to carry the CED shall be permitted to do so only after successfully completing the initial department-approved training. Any personnel who have not carried the CED as a part of their assignments for a period of six months or more shall be recertified by a qualified CED instructor prior to again carrying or using the device.

Proficiency training for personnel who have been issued CEDs should occur every year. A reassessment of an officer's knowledge and/or practical skills may be required at any time, if deemed appropriate, by the Training Officer. All training and proficiency for CEDs will be documented in the officer's training files.

Command staff, supervisors, and investigators should receive CED training as appropriate for the investigations they conduct and review.

Officers who do not carry CEDs should receive training that is sufficient to familiarize them with the device and with working with officers who use the device.

The Training Officer is responsible for ensuring that all members who carry CEDs have received initial and annual proficiency training. Periodic audits should be used for verification.

Application of CEDs during training could result in injuries and should not be mandatory for certification.

The Training Officer should include the following training:

- (a) A review of this policy.
- (b) A review of the Use of Force Policy.
- (c) Performing weak-hand draws or cross-draws until proficient to reduce the possibility of unintentionally drawing and firing a firearm.
- (d) Target area considerations, to include techniques or options to reduce the unintentional application of probes to the head, neck, area of the heart, and groin.
- (e) Scenario-based training, including virtual reality training when available.
- (f) Handcuffing a subject during the application of the CED and transitioning to other force options.
- (g) De-escalation techniques.
- (h) Restraint techniques that do not impair respiration following the application of the CED.
- (i) Proper use of cover and concealment during deployment of the CED for purposes of officer safety.
- (j) Proper tactics and techniques related to multiple applications of CEDs.

Officer-Involved Shootings and Deaths

304.1 PURPOSE AND SCOPE

The purpose of this policy is to establish policy and procedures for the investigation of an incident in which a person is injured or dies as the result of an officer-involved shooting or dies as a result of another action of an officer.

In other incidents not covered by this policy, the Chief of Police may decide that the investigation will follow the process provided in this policy.

304.2 POLICY

The policy of the West Lafayette Police Department is to ensure that officer-involved shootings and deaths are investigated in a thorough, fair and impartial manner. The following procedures will be used to investigate every incident of a firearms discharge by a department member except for target practice, hunting, ballistic examinations and incidents involving the destroying of an animal.

304.3 INVOLVED OFFICER RESPONSIBILITIES

Whenever an officer discharges a firearm either accidentally or officially, the officer shall immediately:

1. Determine the physical condition of any injured person and render first-aid when appropriate.
2. Request necessary emergency medical aid.
3. Notify the Telecommunication Operator for the Department. If the discharge occurred outside our jurisdictional boundaries, notify the department having jurisdiction as well as our Telecommunication Operator.
4. The officer will remain at the scene, unless injured, until the arrival of the appropriate investigators (if the circumstances are such that the continued presence of the officer at the scene might cause a more hazardous situation to develop, then the ranking commanding officer at the scene shall have the discretion to instruct the officer to respond to another, more appropriate location.
5. The officer will protect the involved weapon for examination and submit said weapon to the appropriate investigator (do not empty or reload weapon unless tactical situation calls for it). (See Section II-C-3 for Weapon Replacement.
6. The officer shall prepare a detailed report of the incident. Any officer involved in a shooting or death may be permitted to review available Mobile Audio/Video (MAV), body-worn video, or other video or audio recordings prior to providing a recorded statement or completing reports.
7. The officer should not discuss the case with anyone except,
 - a) On scene command personnel.

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- b) Special Services Investigative personnel.
- c) Criminal Investigator or (Detective).
- d) Chief or Deputy Chief

8. Upon leaving the scene, the involved officer shall report to headquarters and submit to a Breath Test for intoxication, to be administered by a Commanding Officer. The involved Officer may also be required to submit to a blood test or urinalysis test at the Department's expense, if ordered to do so by the Chief of Police or Special Services Investigator.

9. The officer shall be placed on "administrative leave" without loss of pay, or benefits, pending results of the investigations. The Officer shall be available at all times for Special Services Investigators and other administrative interviews regarding the case, and shall remain subject to recall to duty at any reasonable time. The "administrative leave" shall not be interpreted to imply or indicate that the officer acted improperly.

304.4 TYPES OF INVESTIGATIONS

Officer-involved shootings and deaths involve several separate investigations. The investigations may include:

- A criminal investigation of the suspect's actions.
- A criminal investigation of the involved officer's actions.
- An administrative investigation as to policy compliance by involved officers.
- A civil investigation to determine potential liability.

304.5 CONTROL OF INVESTIGATIONS

All shooting incidents shall be investigated by this department. When injury results or the shooting is a result of serious criminal violation, the Criminal Investigation Division shall assume responsibility for the investigation of the incident

304.5.1 OUTSIDE AGENCY INVESTIGATION

The Chief of Police reserves the right to request an outside law enforcement agency to conduct an investigation into the use of lethal force by a West Lafayette Police Officer.

304.6 INVESTIGATION PROCESS

The following procedures are guidelines used in the investigation of an officer-involved shooting or death.

304.6.1 UNINVOLVED OFFICER RESPONSIBILITIES

Upon arrival at the scene of an officer-involved shooting or death, the first uninvolved WLPD officer will be the officer-in-charge and will assume the responsibilities of a supervisor until properly relieved. This officer should, as appropriate:

- (a) Secure the scene and identify and eliminate hazards for all those involved.

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- (b) Take reasonable steps to obtain emergency medical attention for injured individuals.
- (c) Request additional resources from the Department or other agencies.
- (d) Coordinate a perimeter or pursuit of suspects.
- (e) Check for injured persons and evacuate as needed.
- (f) Brief the supervisor upon arrival.

304.6.2 SUPERVISOR RESPONSIBILITIES

Upon arrival at the scene, the first uninvolved WLPD supervisor should ensure completion of the duties as outlined above, plus:

- (a) Attempt to obtain a brief overview of the situation from any uninvolved officers.
 - 1. In the event that there are no uninvolved officers who can supply adequate overview, the supervisor should attempt to obtain a brief voluntary overview from one involved officer.
- (b) If necessary, the supervisor may administratively order any WLPD officer to immediately provide public safety information necessary to secure the scene, identify injured parties and pursue suspects.
 - 1. Public safety information shall be limited to such things as outstanding suspect information, number and direction of any shots fired, perimeter of the incident scene, identity of known or potential witnesses and any other pertinent information.
 - 2. The initial on-scene supervisor should not attempt to order any involved officer to provide any information other than public safety information.
- (c) Provide all available information to the Shift Supervisor and the Dispatch Center. If feasible, sensitive information should be communicated over secure networks.
- (d) Take command of and secure the incident scene with additional WLPD members until properly relieved by another supervisor or other assigned personnel or investigator.
- (e) As soon as practicable, ensure that involved officers are transported (separately, if feasible) to a suitable location for further direction.
 - 1. Each involved WLPD officer should be given an administrative order not to discuss the incident with other involved officers or WLPD members pending further direction from a supervisor.
 - 2. When an involved officer's weapon is taken or left at the scene for other than officer-safety reasons (e.g., evidence), ensure that he/she is provided with a comparable replacement weapon or transported by other officers.

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304.7 CRIMINAL INVESTIGATION

If available, investigative personnel from this department may be assigned to partner with investigators from outside agencies or the County Prosecutor's Office to avoid duplicating efforts in related criminal investigations.

Once public safety issues have been addressed, criminal investigators should be given the opportunity to obtain a voluntary statement from involved officers and to complete their interviews.

The following shall be considered for the involved officer:

- (a) WLPD supervisors and Internal Affairs Unit personnel should not participate directly in any voluntary interview of WLPD officers. This will not prohibit such personnel from monitoring interviews or indirectly providing topics for inquiry.
- (b) If requested, any involved officer will be afforded the opportunity to consult individually with a representative of the officer's choosing or an attorney prior to speaking with criminal investigators. However, in order to maintain the integrity of each involved officer's individual statement, involved officers shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.
- (c) If any involved officer is physically, emotionally, or otherwise not in a position to provide a voluntary statement when interviewed by criminal investigators, consideration should be given to allowing a reasonable period for the officer to schedule an alternate time for the interview.
- (d) Any voluntary statement provided by an involved officer will be made available for inclusion in any related investigation, including an administrative investigation. However, no administratively coerced statement will be provided to any criminal investigators unless the officer consents.

304.7.1 WITNESS IDENTIFICATION AND INTERVIEWS

Because potential witnesses to an officer-involved shooting or death may become unavailable or the integrity of their statements compromised with the passage of time, a supervisor should take reasonable steps to promptly coordinate with criminal investigators to utilize available law enforcement personnel for the following:

- (a) Identification of all persons present at the scene and in the immediate area.
 - 1. When feasible, a recorded statement should be obtained from those persons who claim not to have witnessed the incident but who were present at the time it occurred.
 - 2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, attempts to identify the witness prior to his/her departure should be made whenever feasible.

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- (b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by a member of the Department.
 - 1. A written, verbal or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transportation.
- (c) Promptly contacting the suspect's known family and associates to obtain any available and untainted background information about the suspect's activities and state of mind prior to the incident.

304.7.2 INVESTIGATIVE PERSONNEL

Once notified of an officer-involved shooting or death, it shall be the responsibility of the designated Criminal Investigation supervisor to assign appropriate investigative personnel to handle the investigation of related crimes.

All related department reports, except administrative and/or privileged reports, will be forwarded to the designated Criminal Investigation supervisor for approval. Privileged reports shall be maintained exclusively by members who are authorized such access. Administrative reports will be forwarded to the appropriate Commander.

304.8 ADMINISTRATIVE INVESTIGATION

In addition to all other investigations associated with an officer-involved shooting or death, this department will conduct an internal administrative investigation of involved WLPD officers to determine conformance with department policy. This investigation will be conducted under the supervision of the Internal Affairs Unit and will be considered a confidential officer personnel file.

Interviews of members shall be subject to department policies and applicable laws.

- (a) Any officer involved in a shooting or death may be requested or administratively compelled to provide a blood sample for alcohol/drug screening. Absent consent from the officer, such compelled samples and the results of any such testing shall not be disclosed to any criminal investigative agency.
- (b) If any officer has voluntarily elected to provide a statement to criminal investigators, the assigned administrative investigator should review that statement before proceeding with any further interview of that involved officer.
 - 1. If a further interview of the officer is deemed necessary to determine policy compliance, care should be taken to limit the inquiry to new areas with minimal, if any, duplication of questions addressed in the voluntary statement. The involved officer shall be provided with a copy of the prior statement before proceeding with any subsequent interviews.
- (c) In the event that an involved officer has elected not to provide criminal investigators with a voluntary statement, the assigned administrative investigator shall conduct an administrative interview to determine all relevant information.

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1. Although this interview should not be unreasonably delayed, care should be taken to ensure that the officer's physical and psychological needs have been addressed before commencing the interview.
2. If requested, the officer shall have the opportunity to select an uninvolved representative to be present during the interview. However, in order to maintain the integrity of each individual officer's statement, involved officers shall not consult or meet with a representative collectively or in groups prior to being interviewed.
3. Administrative interviews should be recorded by the investigator. The officer may also record the interview.
4. The officer shall be informed of the nature of the investigation. If an officer refuses to answer questions, the officer should be given the officer's *Garrity* rights and ordered to provide full and truthful answers to all questions. The officer shall be informed that the interview will be for administrative purposes only and that the statement cannot be used criminally.
5. The Internal Affairs Unit shall compile all relevant information and reports necessary for the Department to determine compliance with applicable policies.
6. Regardless of whether the use of force is an issue in the case, the completed administrative investigation shall be submitted to the Use of Deadly Force Review Board, which will restrict its findings as to whether there was compliance with the Use of Force Policy.
7. Any other indications of potential policy violations shall be determined in accordance with standard disciplinary procedures.

304.9 USE OF DEADLY FORCE REVIEW BOARD

The Use of Deadly Force Review Board shall convene and review the circumstances attendant to each discharge of a firearm by a department member (except in those circumstances as already noted). The Board shall consist of:

1. Deputy Chief of Police (Board Chairman).
2. Captain of Patrol.
3. Commanding Officer of the officer who discharged their weapon.
4. Two (2) members of the same rank, if possible as the member who discharged their weapon.

The Use of Deadly Force Review Board will evaluate, in explicit and fact-finding fashion, each aspect of an officer-involved shooting. Such evaluation will include:

1. A thorough review of the Criminal Investigation report.
2. A thorough review of the Special Services Unit report.
3. A hearing of direct testimony, if necessary, from the officers, witnesses, and investigators.

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The Use of Deadly Force Review Board will develop findings and make recommendations to the Chief of Police in the following areas:

1. Whether or not the shooting was

a) Within policy

b) Accidental

304.10 MEDIA RELATIONS

No WLPD officer shall make any comment to the media in reference to an officer involved shooting unless he/she is authorized by the Chief of Police.

Firearms

305.1 PURPOSE AND SCOPE

This policy provides guidelines for issuing firearms, the safe and legal carrying of firearms, firearms maintenance and firearms training.

This policy does not apply to issues related to the use of firearms that are addressed in the Use of Force or Officer-Involved Shootings and Deaths policies.

This policy only applies to those members who are authorized to carry firearms.

305.2 POLICY

The West Lafayette Police Department will equip its members with firearms to address the risks posed to the public and department members by violent and sometimes well-armed persons. The Department will ensure firearms are appropriate and in good working order and that relevant training is provided as resources allow.

Sworn officers with arrest authority as defined in Indiana Code as approved by the Police Chief shall be armed with a firearm while on official business for the police department. Officers may also be armed when off-duty unless otherwise directed by the Police Chief.

Firearms shall be carried by Police Employees at all times when in uniform, or when out of uniform and on duty, except when the nature of the particular assignment or investigation dictates otherwise.

305.3 AUTHORIZED FIREARMS, AMMUNITION AND OTHER WEAPONS

Members shall only use firearms that are issued or approved by the Department and have been thoroughly inspected by a firearms instructor. All weapons must be registered by serial number with the department.

Except in an emergency or as directed by a supervisor, no firearm shall be carried by a member while on duty who has not qualified with that firearm.

All other weapons not provided by the Department, including, but not limited to, edged weapons, chemical or electronic weapons, impact weapons or any weapon prohibited or restricted by law or that is not covered elsewhere by department policy, may not be carried by members in the performance of their official duties without authorization of the Chief of Police or his designee. This exclusion does not apply to the carrying of a single folding pocketknife that is not otherwise prohibited by law.

305.3.1 HANDGUNS

The standard department-issued handgun is a Glock model 17 or 19, 9mm. The standard department-issued backup handgun is a Glock model 26 or 43, 9mm. Only department issued handguns may be carried on duty.

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305.3.2 SHOTGUNS

The authorized department-issued shotgun is the Remington 870 12 gauge.

When not deployed, the shotgun shall be properly secured consistent with department training.

305.3.3 SUPPORT RIFLES

The authorized department-issued patrol rifle is the .223/5.56.

Members may deploy the patrol rifle in any circumstance where the member can articulate a reasonable expectation that the rifle may be needed. The Officer should take into consideration the following factors when deciding to deploy the weapon:

- a) The seriousness of the incident
- b) Effectiveness of the weapon in such an incident
- c) Qualification status and expertise of the officer
- d) Potential for incident escalation
- e) Location, surroundings and circumstances

Examples of some general guidelines for deploying the patrol rifle may include, but are not limited to:

- (a) Situations where the member reasonably anticipates an armed encounter.
- (b) When a member is faced with a situation that may require accurate and effective fire at long range.
- (c) Situations where a member reasonably expects the need to meet or exceed a suspect's firepower.
- (d) When a member reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.
- (e) When a member reasonably believes that a suspect may be wearing body armor.
- (f) When authorized or requested by a supervisor.
- (g) When needed to euthanize an animal.

When not deployed, the patrol rifle shall be properly secured consistent with department training in a locking weapons rack in the patrol vehicle.

Support Rifle Safety and Security:

1. Support rifles stored in vehicles shall be carried in the following manner: full magazine inserted, empty chamber with safety on and bolt in the forward position.
2. Officers who carry a personally owned support rifle will carry it in a case in the trunk of the vehicle or in the rear cargo area hidden from view. If the vehicle has a weapon rack suitable for the patrol rifle, the rifle may be secured in the rack.
3. If a support rifle is left in a vehicle, the vehicle must be locked when left unattended.

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305.3.4 PERSONALLY OWNED SUPPORT RIFLES

Members desiring to carry an authorized but personally owned support rifle must receive approval from the Chief of Police or the authorized designee. Once approved, personally owned support rifles are subject to the following restrictions:

- A. The rifle shall be inspected by a firearms instructor prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.
- B. Prior to carrying the rifle, members shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Members must demonstrate proficiency and safe handling, and that the rifle functions properly.
- C. The personally owned support rifle must be equipped with fixed sights, regardless of any other optics on the weapon.
- D. Members shall provide written notice of the make, model, color, serial number and caliber of the rifle to a firearms instructor, who will maintain a list of the information.

305.3.5 AMMUNITION

Members shall carry only department-issued ammunition. Members shall be issued fresh duty ammunition in the specified quantity for all department-issued firearms annually. Replacements for unserviceable or depleted ammunition issued by the Department shall be dispensed by a firearms instructor when needed, in accordance with established policy.

305.4 EQUIPMENT

Firearms carried on- or off-duty shall be maintained in a clean, serviceable condition.

305.4.1 REPAIRS OR MODIFICATIONS

Each member shall be responsible for promptly reporting any damage or malfunction of an assigned firearm to a supervisor or a firearms instructor.

Officers shall not modify department issued firearms unless approved in writing by the Firearms Instructor.

Repairs to department owned weapons must be done by a certified armorer or gunsmith.

305.4.2 HOLSTERS

Only department-approved holsters shall be used and worn by members. Members shall periodically inspect their holsters to make sure they are serviceable and provide the proper security and retention of the handgun.

305.4.3 TACTICAL LIGHTS

Department approved tactical lights may be installed on a firearm carried on- or off-duty. Once the approved tactical lights have been properly installed on any firearm, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it.

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305.4.4 OPTICS

Optics may be installed on a support rifle carried on duty. Any approved sight shall only be installed in strict accordance with manufacturer specifications. Once installed on any rifle, the member shall qualify with the rifle to ensure proper functionality and sighting of the firearm prior to carrying it.

Support rifles must be equipped with fixed sights even if an optic is installed on the weapon.

Except in an approved training situation, a member may only sight in on a target when the member would otherwise be justified in pointing a firearm at the target.

305.5 SAFE HANDLING, INSPECTION AND STORAGE

Members shall maintain the highest level of safety when handling firearms and shall consider the following:

- (a) Members shall not unnecessarily display or handle any firearm.
- (b) Members shall be governed by all rules and regulations pertaining to the use of the range and shall obey all orders issued by the firearms instructor.
- (c) Members shall not clean, repair, load or unload a firearm anywhere in the Department, except where clearing barrels are present. A clearing barrel has been placed at headquarters (garage/office) for safety. All loading and unloading, weapons clearing, weapons dry firing, etc. which takes place in headquarters shall be performed with the muzzle of the firearms placed into the top of the barrel (the bucket indentation on top).
- (d) Shotguns or rifles removed from vehicles, or the equipment storage room shall be loaded and unloaded using clearing barrels.
- (e) Members shall not place or store any firearm or other weapon on department premises except where the place of storage is locked. No one shall carry firearms into the jail section or any part thereof when securing or processing an arrestee but shall place all firearms in a secured location.
- (f) Members shall not use any automatic firearm, heavy caliber rifle, gas or other type of chemical weapon or firearm from the armory, except with approval of a supervisor.
- (g) Any firearm authorized by the Department to be carried on- or off-duty that is determined by a member to be malfunctioning or in need of service or repair shall not be carried. It shall be promptly presented to a certified armorer approved by the Department for inspection and repair. Any firearm deemed in need of repair or service by an armorer will be immediately removed from service. If the firearm is the member's primary duty firearm, a replacement firearm will be issued to the member until the duty firearm is serviceable.
- (h) All weapons will be inspected by the department's armorer at least once a year. Officers who carry personally owned support rifles will be required to perform routine maintenance and be subject to inspection by a supervisor, training coordinator, or firearms instructor upon request.

305.5.1 INSPECTION AND STORAGE

Weapons shall be inspected annually by firearms instructors. Shotguns and rifles shall be inspected at the beginning of each shift by the member to whom will be operating the police

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vehicle. The member shall ensure that the firearm is carried in the proper condition and loaded with approved ammunition. Should the member find any weapon in a condition needing attention, that member shall immediately notify their shift commander.

305.5.2 STORAGE AT HOME

Members shall ensure that all firearms and ammunition are locked and secured while in their homes, vehicles or any other area under their control, and in a manner that will keep them inaccessible to children and others who should not have access. Members shall not permit department-issued firearms to be handled by anyone not authorized by the Department to do so. Members should be aware that negligent storage of a firearm could result in civil and criminal liability.

305.5.3 ALCOHOL AND DRUGS

Firearms shall not be carried by any member, either on- or off-duty, who has consumed an amount of an alcoholic beverage, taken any drugs or medication, or taken any combination thereof that would tend to adversely affect the member's senses or judgment.

305.6 FIREARMS TRAINING AND QUALIFICATIONS

All members who carry a firearm while on-duty are required to successfully complete routine training with their duty firearms. In addition to routine training, all members will qualify at least annually with their duty and all authorized firearms. Training and qualifications must be on an approved range course (I.C. § 5-2-1-9).

All members who carry a firearm while on-duty are required to successfully complete Indiana Law Enforcement Academy (I.L.E.A.) approved in-service training which shall include (250 I.A.C. 2-7-1):

- (a) A minimum of two hours of firearms training.
- (b) A minimum of two hours of use of force/physical tactics training.
- (c) A minimum of two hours of police vehicle operations.

At least annually, all members carrying a firearm should receive practical training designed to simulate field situations including low-light shooting.

Firearms training shall be conducted on the following department issued firearms: handguns, patrol rifles and less lethal shotguns.

Qualification sessions are conducted at the department firing range, during a period determined by the Training Division and Firearms Instructors. Qualification sessions shall be on a department-approved course of fire that includes the factors of time limitations, accuracy, dexterity and familiarity.

Qualification shall be according to the following criteria:

- a) The course of fire will be one round of the ILEA pistol qualification course utilized to certify basic officers. It will be graded as a pass/fail with a passing score of at least 80% of the total score.

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b) Conducted with each officer firing the approved course no more than three times during a session.

305.6.1 NON-CERTIFICATION OR NON-QUALIFICATION

If any member fails to meet minimum standards for firearms training or qualification for any reason, including injury, illness, duty status or scheduling conflict, that member shall submit a memorandum to his/her immediate supervisor prior to the end of the required training or qualification period.

Those who fail to meet minimum standards or qualify on their first shooting attempt shall be provided remedial training and will be subject to the following requirements:

- (a) Additional range assignments may be scheduled to assist the member in demonstrating consistent firearm proficiency.
- (b) Members shall be given credit for a range training or qualification when obtaining a qualifying score or meeting standards after remedial training.
- (c) No range credit will be given for the following:
 - 1. Unauthorized range make-up
 - 2. Failure to meet minimum standards or qualify after remedial training

Members who repeatedly fail to meet minimum standards will be removed from field assignment and may be subject to disciplinary action.

305.7 FIREARM DISCHARGE

Except during training or recreational use, any member who discharges a firearm intentionally or unintentionally, on- or off-duty, shall make a verbal report to his/her supervisor as soon as circumstances permit. If the discharge results in injury or death to another person, additional statements and reports shall be made in accordance with the Officer-Involved Shootings and Deaths Policy. If a firearm was discharged as a use of force, the involved member shall adhere to the additional reporting requirements set forth in the Use of Force Policy.

In all other cases, written reports shall be made as follows:

- (a) If on-duty at the time of the incident, the member shall file a written report with his/her Commander or provide a recorded statement to investigators prior to the end of shift, unless otherwise directed.
- (b) If off-duty at the time of the incident, the member shall submit a written report or a recorded statement no later than the end of the next regularly scheduled shift, unless otherwise directed by a supervisor.

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305.7.1 DESTRUCTION OF ANIMALS

Members are authorized to use firearms to stop an animal in circumstances where the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

In circumstances where there is sufficient advance notice that a potentially dangerous animal may be encountered, department members should develop reasonable contingency plans for dealing with the animal (e.g., fire extinguisher, conducted energy device, oleoresin capicum (OC) spray, animal control officer). Nothing in this policy shall prohibit any member from shooting a dangerous animal if circumstances reasonably dictate that a contingency plan has failed, becomes impractical, or if the animal reasonably appears to pose an imminent threat to human safety.

305.7.2 INJURED ANIMALS

With the approval of a supervisor, a member may euthanize an animal that is so badly injured that human compassion requires its removal from further suffering and where other dispositions are impractical.

305.7.3 WARNING AND OTHER SHOTS

Generally, warning shots or shots fired for the purpose of summoning aid are discouraged and may not be discharged unless the member reasonably believes that they appear necessary, effective and reasonably safe.

305.8 CARRYING FIREARMS OUT OF STATE

Qualified, active, full-time officers of this department are authorized to carry a concealed firearm in all other states subject to the following conditions (18 USC § 926B):

- (a) The officer shall carry his/her West Lafayette Police Department identification card whenever carrying such firearm.
- (b) The officer may not be the subject of any current disciplinary action.
- (c) The officer may not be under the influence of alcohol or any other intoxicating or hallucinatory drug.
- (d) The officer will remain subject to this and all other department policies (including qualifying and training).

Officers are cautioned that individual states may enact local regulations that permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property, or that prohibit or restrict the possession of firearms on any state or local government property, installation, building, base or park. Federal authority may not shield an officer from arrest and prosecution in such locally restricted areas.

Active law enforcement officers from other states are subject to all requirements set forth in 18 USC § 926B.

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306.1 PURPOSE AND SCOPE

This policy provides guidelines for vehicle pursuits in order to protect the safety of involved officers, the public and fleeing suspects.

306.1.1 DEFINITIONS

Definitions related to this policy include:

Authorized emergency vehicle or emergency vehicle - Vehicles operated by a police agency, department or office, or the Department of Corrections, that are designated and used as an authorized emergency vehicle in accordance with I.C. § 9-21-20 and properly equipped with red and blue signal lamps and/or a siren, whistle, or bell as required/ permitted by I.C. § 9-19.

Boxing-in - A tactic designed to stop a suspect's vehicle by surrounding it with law enforcement vehicles and then using a natural stop in traffic (i.e. a stop sign or traffic signal) to limit the mobility of the vehicle in order to effect a stop.

Direct Pursuit Involvement – Any officers who are following directly behind the suspect vehicle in a pursuit; typically, the primary pursuing officer and authorized backup units.

Indirect Pursuit Involvement – Any officer who operates an authorized emergency vehicle, in emergency mode, to support the lawful and safe resolution of a vehicle pursuit.

Lawful intervention technique or pursuit intervention - An attempt to stop the suspect's ability to continue to flee in a vehicle through tactical application of technology, tire deflation devices, blocking or vehicle intercept, boxing-in, the precision immobilization technique (PIT), ramming, or roadblock procedures (I.C. § 9-21-1-0.5).

Precision Immobilization Technique (PIT) - A low-speed (50 mph or below) maneuver designed to cause the suspect vehicle to spin out, stall and come to a stop.

Primary pursuing officer- The officer in the lead police vehicle during a pursuit.

Ramming - The deliberate act of contacting a suspect's vehicle with another law enforcement vehicle to functionally damage or otherwise force the suspect's vehicle to stop.

Roadblocks - A tactic designed to stop a suspect's vehicle by intentionally placing a law enforcement vehicle or other immovable object in the path of the suspect's vehicle.

Terminate - To discontinue a pursuit or stop chasing fleeing vehicles in compliance with this policy.

Tire deflation device - A device designed to puncture the tires of the pursued vehicle.

Trail - Following the path of the pursuit at a safe speed while obeying all traffic laws and without activating emergency equipment. If the pursuit is at a slow rate of speed, the trailing vehicle will maintain sufficient distance from the pursuit vehicles so as to clearly indicate an absence of participation in the pursuit.

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Vehicle pursuit - An event involving one or more law enforcement officers attempting to apprehend a suspect, who is attempting to avoid detention, apprehension, or arrest by and identified law enforcement officer while operating a vehicle by using high-speed driving or other evasive tactics, such as driving off a highway, turning suddenly or driving in a legal manner but willfully failing to yield to an officer's emergency signal to stop.

306.2 POLICY

It is the policy of this department to weigh the importance of apprehending suspects who unlawfully flee from law enforcement against the risks associated with vehicle pursuits.

The West Lafayette Police Department will actively attempt to apprehend violators who choose to evade police attempts to stop them, either by means of vehicle or by foot. The West Lafayette Police Department recognizes the need to protect the public from dangerous or potentially dangerous individuals who choose to evade police, and commit continuing hazardous violations.

All members of the West Lafayette Police Department will use due regard in their attempt to stop the fleeing violator with the following procedure to be viewed as an administrative guide in carrying out that duty.

306.3 USE OF FORCE

A vehicle pursuit is considered an application of force. As such, all Use of Force policies apply, including, but not limited to:

- a. Policy 300.3 Use of Force
- b. Policy 300.3.2 Factors Used to Determine the Reasonableness of Force.

306.4 OFFICER RESPONSIBILITIES

Vehicle pursuits shall only be conducted using authorized police department emergency vehicles that are equipped with emergency lighting and sirens as required by law (I.C. § 9-13-2-6(1)(B)).

Officers shall drive with due regard for the safety of all persons and property. However, officers may, when in pursuit of a suspect and provided there is no unreasonable risk to persons and property (I.C. § 9-21-1-8):

- (a) Proceed past a red or stop signal or stop sign but only after slowing down as may be necessary for safe operation.
- (b) Exceed the speed limit.
- (c) Disregard regulations governing direction of movement or turning in specified directions.
- (d) Park or stand in the roadway.

West Lafayette Officers shall have the video recording system within their police vehicle and body worn camera operating while engaged in a vehicle pursuit.

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306.4.1 WHEN TO INITIATE A PURSUIT

The West Lafayette Police Department will only initiate a pursuit for suspected felony offenses. Shift Commanders may direct officers to initiate a pursuit for articulable reasons that jeopardize the safety and welfare of the public. West Lafayette Police Officers will not pursue any two wheeled vehicles unless the offense committed by the operator constitutes deadly force.

Factors that shall be considered, both individually and collectively, when deciding to initiate or continue a pursuit include, but are not limited to:

- (a) The seriousness of the known or reasonably suspected crime and its relationship to community safety.
- (b) The importance of protecting the public and balancing the known or reasonably suspected offense and the apparent need for immediate capture against the risks to officers, innocent motorists and others.
- (c) The safety of the public in the area of the pursuit, including the type of area, time of day, the amount of vehicular and pedestrian traffic (e.g., school zones) and the speed of the pursuit relative to these factors.
- (d) The pursuing officers' familiarity with the area of the pursuit, the quality of radio communications between the pursuing vehicles and dispatcher/supervisor, and the driving capabilities of the pursuing officers under the conditions of the pursuit.
- (e) The weather, traffic and road conditions that unreasonably increase the danger of the pursuit when weighed against the risks resulting from the suspect's escape.
- (f) The identity of the suspect has been verified and there is comparatively minimal risk in allowing the suspect to be apprehended at a later time.
- (g) The performance capabilities of the vehicles used in the pursuit in relation to the speed and other conditions of the pursuit.
- (h) Emergency lighting and siren limitations on unmarked police department vehicles that may reduce visibility of the vehicle, such as visor or dash-mounted lights, concealable or temporary emergency lighting equipment and concealed or obstructed siren positioning.
- (i) Speeds of suspect and police vehicle.
- (j) Other persons in or on the pursued vehicle (e.g., passengers, co-offenders and hostages).
- (k) The availability of other resources, such as air support assistance.
- (l) Any police vehicle with a prisoner or civilian inside cannot initiate or join a pursuit at any time under any circumstances.

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306.4.2 WHEN TO TERMINATE A PURSUIT

Pursuits should be terminated whenever the totality of objective circumstances known or which reasonably ought to be known to the officer or supervisor during the pursuit indicates that the present risks of continuing the pursuit reasonably appear to outweigh the risks resulting from the suspect's escape (I.C. § 9-21-1-8(d)).

When a supervisor directs the pursuit to be terminated, officers will immediately terminate the pursuit.

The factors listed in this policy on when to initiate a pursuit will apply equally to the decision to terminate a pursuit. Officers and supervisors must objectively and continuously weigh the seriousness of the offense against the potential danger to innocent motorists, themselves and the public when electing to continue a pursuit.

In addition to the factors that govern when to initiate a pursuit, other factors should be considered in deciding whether to terminate a pursuit, including:

- (a) The distance between the pursuing vehicle and the fleeing vehicle is so great that further pursuit would be futile or require the pursuit to continue for an unreasonable time or distance.
- (b) The pursued vehicle's location is no longer definitely known.
- (c) The pursuing vehicle sustains damage or a mechanical failure that renders it unsafe to drive.
- (d) The pursuing vehicle's emergency lighting equipment or siren becomes partially or completely inoperable (I.C. § 9-21-1-8(c)).
- (e) Hazards to uninvolved bystanders or motorists.
- (f) The danger that the continued pursuit poses to the public, the officers or the suspect, balanced against the risk of allowing the suspect to remain at large.
- (g) When the identity of the suspect is known and it does not reasonably appear that the need for immediate capture outweighs the risks associated with continuing the pursuit.

Should a pursuit be terminated all officers involved with the pursuit shall verbally indicate over the radio their acknowledgement of the termination of the pursuit.

306.4.3 NOTIFICATIONS AFTER TERMINATING A PURSUIT

After the termination of a pursuit, the primary pursuing officer should make the following notifications:

- (a) the Dispatch Center should be notified:
 - 1. That all emergency equipment (lights and sirens) has been deactivated
 - 2. Of the location where the pursuit was terminated
 - 3. Of the suspect's last known location and direction of travel

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4. What actions officers took to terminate the pursuit (e.g., stationary, turned in the opposite direction)
 5. If the pursuit is terminated by a lawful intervention technique
 6. If the pursuit results in injury or death
- (b) A supervisor should be notified:
1. If the pursuit is ended by a lawful intervention technique
 2. If the pursuit resulted in an injury or death

306.4.4 REINSTATING A TERMINATED PURSUIT

An officer may reinstate a previously terminated vehicle pursuit only if authorized by a supervisor and conducted in accordance with the guidelines for initiating a vehicle pursuit.

306.5 PURSUIT VEHICLES

When involved in a pursuit, unmarked police department emergency vehicles should be replaced by marked emergency vehicles as soon as practicable.

Any unmarked police vehicle with operable red and blue lights and siren may initiate a pursuit. If the initiating officer in pursuit is driving an unmarked vehicle, the driver of such vehicle shall relinquish their primary status to a marked police vehicle with red and blue lights and siren operating, and may operate as a secondary unit until another marked police vehicle is available to take over as the secondary unit. At that point, the officer in the unmarked police vehicle or van shall proceed under normal conditions in the event of an apprehension, to the scene of the stop.

Direct pursuit involvement should be limited to three police department emergency vehicles (initial pursuing unit and two backup units). More than three units may be directly involved in the pursuit only if deemed necessary and approved by the shift commander after considering the known circumstances at the time.

At times it may become necessary and prudent for other officers to become indirectly involved in the pursuit in order to clear intersections, employ intervention measures, etc.

An officer or supervisor may request that additional vehicles join a pursuit if, after assessing the factors outlined above, it appears that the number of officers involved would be insufficient to safely arrest the number of suspects. All other officers shall stay out of the pursuit but should remain alert to its progress and location.

306.5.1 MOTORCYCLES

Police motorcycles are not permitted to be involved in a pursuit.

306.5.2 VEHICLES WITHOUT EMERGENCY EQUIPMENT

Officers operating vehicles not equipped with emergency lights and siren are prohibited from initiating or joining in any pursuit (I.C. § 9-19-5-3; I.C. § 9-19-14-5).

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Officers in such vehicles may provide support to pursuing vehicles as long as the vehicle is operated in compliance with all traffic laws. Those officers should discontinue such support immediately upon arrival of a sufficient number of authorized emergency police department vehicles or any air support.

306.5.3 PRIMARY PURSUIT VEHICLE RESPONSIBILITIES

The initial pursuing officer will be designated as the primary pursuit vehicle and will be responsible for the conduct of the pursuit unless the officer is unable to remain reasonably close to the suspect's vehicle. The primary responsibility of the officer initiating the pursuit is the apprehension of the suspect without unreasonable danger to the officer or others.

The primary pursuing officer should notify the dispatcher, commencing with a request for priority radio traffic, that a vehicle pursuit has been initiated, and as soon as practicable provide information including, but not limited to:

- (a) The location, direction of travel and estimated speed of the suspect's vehicle.
- (b) The description of the suspect's vehicle including the license plate number, if known.
- (c) The reason for the pursuit.
- (d) The use of firearms, threat of force, violence, injuries, hostages or other unusual hazards.
- (e) The number of occupants and identity or description.
- (f) The weather, road and traffic conditions.
- (g) The need for any additional resources or equipment.
- (h) The identity of other law enforcement agencies involved in the pursuit.

Failure to provide the above information may cause the shift commander to order a termination of the pursuit.

Once the pursuing officer has notified dispatch of the above information, they shall place their radio on Tippecanoe County Special Detail channel as soon as this can be done safely. Tippecanoe County Special Detail channel shall remain the primary radio frequency until the pursuit is completed.

Unless relieved by a supervisor or a secondary pursuing officer, the officer in the primary pursuit vehicle shall be responsible for broadcasting the progress of the pursuit. Unless circumstances reasonably indicate otherwise, the primary pursuing officer should relinquish the responsibility of broadcasting the progress of the pursuit to an officer in a secondary pursuit vehicle or to air support joining the pursuit to minimize distractions and allow the primary pursuing officer to concentrate foremost on safe pursuit tactics.

306.5.4 SECONDARY PURSUIT VEHICLE RESPONSIBILITIES

The second officer in the pursuit will be designated as the secondary pursuit vehicle and is responsible for:

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- (a) Immediately notifying the dispatcher of the officer's entry into the pursuit.
- (b) Remaining a safe distance behind the primary pursuit vehicle unless directed to assume the role of primary pursuit vehicle or if the primary pursuit vehicle is unable to continue the pursuit.
- (c) Broadcasting information that the primary pursuing officer is unable to provide.
- (d) Broadcasting the progress of the pursuit, updating known or critical information and providing changes in the pursuit, unless the situation indicates otherwise.
- (e) Identifying the need for additional resources or equipment as appropriate.
- (f) Serving as backup to the primary pursuing officer once the suspect has been stopped.

306.6 PURSUIT DRIVING

The decision to use specific driving tactics requires the same assessment of the factors the officer considered when determining whether to initiate and/or terminate a pursuit. The following are tactics for officers who are involved in the pursuit:

- (a) Officers, considering their driving skills and vehicle performance capabilities, will space themselves from other involved vehicles such that they are able to see and avoid hazards or react safely to unusual maneuvers by the fleeing vehicle.
- (b) Because intersections can present increased risks, the following tactics should be considered:
 - 1. Available officers not directly involved in the pursuit may proceed safely to controlled intersections ahead of the pursuit in an effort to warn cross traffic.
 - 2. Pursuing officers should exercise due regard and slow down as may be necessary when proceeding through controlled intersections.
- (c) As a general rule, officers should not pursue a vehicle driving the wrong direction on a roadway, highway or freeway unless approved by the shift commander. In the event the pursued vehicle does so, the following tactics should be considered:
 - 1. Request assistance from available air support.
 - 2. Maintain visual contact with the pursued vehicle by paralleling the vehicle while driving on the correct side of the roadway.
 - 3. Request other officers to observe exits available to the suspect.
- (d) Notify the appropriate law enforcement agency if it appears that the pursuit may enter its jurisdiction.
- (e) Officers involved in a pursuit should not attempt to pass other pursuing vehicles unless the situation indicates otherwise or they are requested to do so by the pursuing officer and with a clear understanding of the maneuver process between the involved officers.

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306.6.1 PURSUIT TRAILING

In the event that initial pursuing officers relinquish control of the pursuit to another agency, the initial officers may, with the permission of a supervisor, trail the pursuit to the termination point in order to provide information and assistance for the arrest of the suspect and reporting the incident. Officers who are authorized to trail a pursuit will do so in non-emergency mode.

306.6.2 AIR SUPPORT ASSISTANCE

When available, air support assistance should be requested. Once the air support crew has established visual contact with the pursued vehicle, they should assume communication control over the pursuit. The primary and secondary ground pursuit vehicles, or involved supervisor, will maintain operational control but should consider whether the participation of air support warrants their continued close proximity and/or involvement in the pursuit.

The air support crew should coordinate the activities of resources on the ground, report progress of the pursuit, and provide officers and supervisors with details of upcoming traffic congestion, road hazards or other pertinent information to evaluate whether to continue the pursuit. If officers on the ground are not within visual contact of the pursued vehicle and the air support crew determines that it is unsafe to continue the pursuit, the air support crew should recommend terminating the pursuit.

306.6.3 OFFICERS NOT INVOLVED IN THE PURSUIT

Officers who are not involved in the pursuit should remain in their assigned areas, should not parallel the pursuit route and should not become involved with the pursuit unless directed otherwise by a supervisor. Uninvolved officers are authorized to use emergency equipment at intersections along the pursuit path to clear intersections of vehicular and pedestrian traffic to protect the public. Those officers should attempt to place their vehicles in locations that provide some safety or an escape route in the event of an unintended collision or if the suspect intentionally tries to ram the police vehicle.

Unless authorized by shift command, non-pursuing members needed at the pursuit termination point should respond in a non-emergency manner, observing the rules of the road.

The primary pursuit vehicle and two backup units should be the only vehicles operating under emergency conditions (emergency lights and siren) unless other officers are assigned to the pursuit.

306.7 LOSS OF PURSUED VEHICLE

When the pursued vehicle is lost, the involved officers should broadcast pertinent information to assist other officers in locating the vehicle. The primary pursuing officer or supervisor will be responsible for coordinating any further search for either the pursued vehicle or suspects fleeing on foot.

306.8 ASSISTING OTHER AGENCIES

The agency which initiated pursuit will remain in overall control of the pursuit until the suspect is apprehended or pursuit is terminated for other reasons.

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When another agency is involved in a pursuit that enters West Lafayette jurisdiction, WLPD officers will only assist actively in the pursuit if verbally requested by the pursuing agency, and approved by shift supervisor. WLPD Officers may deploy tire deflation devices without approval from the pursuing agency in attempts to prevent the pursuit from continuing into the city of West Lafayette. Officers may attempt to clear intersections along the route of the pursuit or assist the other agency by relaying road information that may be beneficial to the pursuing agency. WLPD officers will disregard their involvement with the pursuit once the pursuit leaves West Lafayette jurisdiction. Supervisor may authorize further involvement if deemed necessary.

If any other agency loses a vehicle that was being pursued and a West Lafayette officer later picks up the same vehicle, this would be considered a separate pursuit. WLPD Officer may initiate a pursuit at this time if warranted.

306.9 PURSUIT INTERVENTION

Whenever practicable, an officer shall seek approval from a supervisor before employing any intervention to stop the pursued vehicle. In deciding whether to use intervention tactics, officers/supervisors should balance the risk of allowing the pursuit to continue with the potential hazards arising from the use of each tactic to the public, the officers and persons in or on the pursued vehicle. The decision to use any intervention tactic should be reasonable in light of the circumstances known to the officer at the time of the decision.

306.9.1 INTERVENTION STANDARDS

Any intervention tactic, depending upon the conditions and circumstances under which it is used, may present dangers to the officers, the public or anyone in or on the vehicle being pursued. Certain applications of intervention tactics may be construed to be a use of force, including deadly force, and are subject to policies guiding such use. The use of any lawful intervention technique is limited to officers who have received training in the tactic. Intervention techniques shall only be used upon assessment of the circumstances and conditions presented at the time, including the potential for risk of injury to officers, the public and occupants of the pursued vehicle. Officers shall consider these facts and requirements prior to deciding how, when, where and if an intervention tactic should be employed (I.C. § 35-41-3-3(c)).

- A. Boxing-in a suspect vehicle should only be attempted upon approval by a supervisor. The use of such a tactic must be carefully coordinated with all involved vehicles, taking into consideration the circumstances and conditions apparent at the time, as well as the potential risk of injury to officers, the public, and occupants of the pursued vehicle. Officers and supervisors should weigh the potential consequences against the need to immediately stop the vehicle.
- B. The PIT should only be used after giving consideration to the following:
 - 1. Supervisory approval should be obtained before using the technique.
 - 2. The need to immediately stop the suspect vehicle in order to safeguard life or preserve public safety and where it reasonably appears to outweigh the risks of injury or death to occupants of the suspect vehicle, officer, or the public.

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3. It reasonably appears the technique will terminate or prevent the pursuit.
 4. PIT may only be used while traveling at speeds not exceeding fifty (50) miles per hour unless deadly force is authorized.
 5. Those factors relevant to deciding whether to initiate or continue a pursuit.
 6. The technique should be used in accordance with department training guidelines and when used it is considered a non-deadly use of force.
 7. The availability of sufficient back-up officers when the technique is used to prevent the suspect vehicle from escaping after stopping.
- C. Ramming a fleeing vehicle should be done only after other reasonable tactical means at the officer's disposal have been exhausted or would not be effective, and immediate control is necessary. Ramming should be reserved for situations where there does not appear to be another reasonable alternative method. If there does not reasonably appear to be a present or immediately foreseeable serious threat to the public, the use of ramming is not authorized. When ramming is used as a means to stop a fleeing vehicle, the following factors should be present:
1. The suspect is an actual or suspected felon, who reasonably appears to represent a serious threat to the public if not apprehended.
 2. The suspect is driving with willful or wanton disregard for the safety of other persons or is driving in a reckless and life-endangering manner or using the vehicle as a weapon.
- D. Tire deflation devices should be deployed only after considering whether to initiate or continue a pursuit, and after notifying pursuing officers and a supervisor of the location of the intended deployment in a manner that:
1. Is in accordance with manufacturer guidelines and training.
 2. Should reasonably only affect the pursued vehicle.
 3. Provides the deploying officer adequate cover and escape from intentional or unintentional exposure to the approaching vehicle.
 4. Considers the limitations of such devices as well as the potential risk to officers, the public and occupants of the pursued vehicle.
 5. Tire deflation devices shall not be used on any two wheeled vehicles unless deadly force is justified.
 6. Tire deflation devices shall not be used on any vehicle transporting hazardous materials.
 7. Tire deflation devices shall not be used on a school bus transporting children.
 8. Tire deflation devices shall not be used on any vehicle that would pose an unusual hazard.
 9. The officer should notify dispatch of the deployment results immediately after the pursued vehicle contacts or avoids the tire deflation device.

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10. The officer should immediately remove the device from the roadway after all involved vehicles pass the location and it is safe to do so.
 11. The officer should secure the tire deflation device in a department vehicle and conduct a thorough inspection of the tire deflation device when appropriate.
 12. Damaged tire deflation devices should be reported to the appropriate supervisor and replaced as soon as practicable.
- E. Because roadblocks involve a potential for serious injury or death to occupants of the pursued vehicle if the suspect does not stop, the intentional placement of roadblocks in the direct path of a pursued vehicle is generally discouraged and should not be deployed without prior approval of a supervisor. If roadblocks are deployed, it should only be done under extraordinary conditions when all other reasonable intervention tactics have failed or reasonably appear ineffective and the need to immediately stop the pursued vehicle substantially outweighs the risks of injury or death to occupants of the pursued vehicle, officers or the public. Roadblock considerations are as follows:
1. Officers should deploy a roadblock in a location that provides clear visibility to traffic in all directions.
 2. Officers should remove or detour uninvolved vehicles and/or persons from the area.
 3. Officers shall not use privately-owned vehicles in a roadblock.
 4. Officers shall not occupy any vehicle that is being used as part of a roadblock.
 5. Officers should activate available emergency lighting and flashers and may use other means of increasing visibility (e.g. road flares)
 6. Emergency medical services (EMS) and fire department personnel should be notified of an established roadblock, as soon as practicable.

306.10 POST-STOP GUIDELINES

Proper self-discipline and sound professional judgment are the keys to a successful conclusion of a pursuit and apprehension of evading suspects. Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose.

Unless relieved by a supervisor, the primary pursuing officer should coordinate efforts to apprehend the suspect following the pursuit. Officers should consider the safety of the public and the involved officers when formulating plans for setting up perimeters or for containing and capturing the suspect.

At the conclusion of a vehicle pursuit, including after the use of a pursuit intervention tactic, officers should follow the applicable procedures for conducting a high-risk traffic stop.

When practicable, officers other than the primary pursuing officer should arrest and transport the suspect to jail.

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306.11 REPORTING REQUIREMENTS

All appropriate reports shall be completed to comply with appropriate laws and policies or procedures.

- (a) The primary pursuing officer shall complete appropriate crime/arrest reports.
- (b) All secondary or assisting officers, including those who deployed tire deflation devices, set up roadblocks, or applied other lawful intervention techniques, shall report that information to the primary pursuing officer as well as document their involvement and actions in a report supplement to the primary case report.
- (c) The primary pursuing officer shall complete the established pursuit review form.
- (d)
- (e) The completed pursuit review form will be forward to the shift commander for review. After review by the shift commander the pursuit report form will be forward to the Captain of Special Services for review.

306.12 SUPERVISORY CONTROL AND RESPONSIBILITIES

Available supervisory and management control will be exercised over all vehicle pursuits involving officers from this department.

Upon becoming aware that a pursuit has been initiated, the Shift Supervisor should monitor and continually assess the situation and ensure the pursuit is conducted within the guidelines and requirements of this policy. The Shift Supervisor has the final responsibility for the coordination, control and termination of a vehicle pursuit and shall be in overall command.

The shift commander will be responsible for:

- (a) Immediately notifying involved officers and the dispatcher of supervisory presence and ascertaining all reasonably available information to continuously assess the situation and risk factors associated with the pursuit. This is to ensure that the pursuit is conducted within established department guidelines.
- (b) The shift commander should avoid participating in the pursuit if possible, so that he/she can make an objective decision regarding the pursuit.
- (c) Ensuring that no more than the required law enforcement vehicles are involved in the pursuit under the guidelines set forth in this policy.
- (d) Directing that the pursuit be terminated if, in his/her judgment, it is not justified to continue the pursuit under the guidelines of this policy.
- (e) Ensuring that assistance from air support, canines or additional resources is requested, if available and appropriate.
- (f) Ensuring that the proper radio channel is being used.
- (g) Ensuring the notification and/or coordination of outside agencies if the pursuit either leaves or is likely to leave the jurisdiction of this department.
- (h) Controlling and managing West Lafayette Police Department officers when a pursuit enters another jurisdiction.

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- (i) Review of the case report and pursuit review report form and forward copies to the Captain of Special Services.
- (j) After receiving copies of reports, logs and other pertinent information, the Chief of Police or the authorized designee shall conduct or assign the complete of a post-pursuit review as appropriate.

Annually, the Chief of Police should direct a documented review and analysis of department vehicle pursuits to minimally include policy suitability, policy compliance, and training needs.

306.13 DISPATCH CENTER RESPONSIBILITY

It is the responsibility of the Dispatch Center to constantly monitor all radio channels. The officer involved in the pursuit will switch to the "Tippecanoe County Special Detail" channel when safe to do so. The dispatch center shall continue to monitor all other WLPD channels as well.

If dispatch is advised that the pursuit is entering another jurisdiction, Dispatch shall immediately notify the appropriate agency and advise them that our pursuit is entering their jurisdiction. Dispatch shall keep the other agency updated, as best as possible, to the progress and location of the pursuit. If the other agency is able to monitor our radio traffic on Tippecanoe County Special Detail channel, they may choose to listen directly and dispatch would not need to keep them informed. However, the Dispatch Center shall make notification in all instances, and let the other agency decide if our dispatch needs to keep them informed.

Upon notification or becoming aware that a pursuit has been initiated, the dispatcher is responsible for:

- (a) Clearing the radio channel of non-emergency traffic.
- (b) Coordinating pursuit communications of the involved officers.
- (c) Broadcasting pursuit updates as well as other pertinent information as necessary.
- (d) Ensuring that a shift commander is notified/aware of the pursuit.
- (e) Notifying and coordinating with other involved or affected agencies as practicable.
- (f) Assigning an incident number and logging all pursuit activities.

306.14 REGULAR AND PERIODIC PURSUIT TRAINING

In addition to initial and supplementary training on pursuits, all officers will receive annual training on any additional vehicle pursuit procedures, regulations, and rules of the Department, and the uniform statewide minimum standard for vehicle pursuits adopted by the Indiana Law Enforcement Training Board. Training will also include recognition of the need to balance the known offense and the need for immediate capture against the risks to officers and others.

Foot Pursuits

307.1 PURPOSE AND SCOPE

This policy provides guidelines to assist officers in making the decision to initiate or continue the pursuit of suspects on foot.

307.2 POLICY

It is the policy of this department that officers, when deciding to initiate or continue a foot pursuit, continuously balance the objective of apprehending the suspect with the risk and potential for injury to department members, the public or the suspect.

Officers are expected to act reasonably, based on the totality of the circumstances.

307.3 DECISION TO PURSUE

The safety of department members and the public should be the primary consideration when determining whether a foot pursuit should be initiated or continued. Officers must be mindful that immediate apprehension of a suspect is rarely more important than the safety of the public and department members.

Officers may be justified in initiating a foot pursuit of any individual that the officer reasonably believes is about to engage in, is engaging in or has engaged in criminal activity. The decision to initiate or continue such a foot pursuit, however, must be continuously re-evaluated in light of the circumstances presented at the time.

Mere flight by a person who is not suspected of criminal activity alone shall not serve as justification for engaging in an extended foot pursuit without the development of reasonable suspicion regarding the individual's involvement in criminal activity or being wanted by law enforcement.

Deciding to initiate or continue a foot pursuit is a decision that an officer must make quickly and under unpredictable and dynamic circumstances. It is recognized that foot pursuits may place department members and the public at significant risk. Therefore, no officer or supervisor shall be criticized or disciplined for deciding not to engage in a foot pursuit because of the perceived risk involved.

If circumstances permit, surveillance and containment are generally the safest tactics for apprehending fleeing persons. In deciding whether to initiate or continue a foot pursuit, an officer should continuously consider reasonable alternatives to a foot pursuit based upon the circumstances and resources available, such as:

- (a) Containment of the area.
- (b) Saturation of the area with law enforcement personnel, including assistance from other agencies.
- (c) A canine search.
- (d) Thermal imaging or other sensing technology.

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- (e) Air support.
- (f) Apprehension at another time when the identity of the suspect is known or there is information available that would likely allow for later apprehension, and the need to immediately apprehend the suspect does not reasonably appear to outweigh the risk of continuing the foot pursuit.

307.4 GENERAL GUIDELINES

When reasonably practicable, officers should consider alternatives to engaging in or continuing a foot pursuit when:

- (a) Directed by a supervisor to terminate the foot pursuit; such an order shall be considered mandatory.
- (b) Two or more officers become separated, lose visual contact with one another or obstacles separate them to the degree that they cannot immediately assist each other should a confrontation take place. In such circumstances, it is generally recommended that a single officer keep the suspect in sight from a safe distance and coordinate the containment effort.
- (c) The officer is unsure of his/her location and direction of travel.
- (d) The officer is pursuing multiple suspects and it is not reasonable to believe that the officer would be able to control the suspects should a confrontation occur.
- (e) The physical condition of the officer renders him/her incapable of controlling the suspect if apprehended.
- (f) The officer loses radio contact with the dispatcher or with assisting or backup officers.
- (g) The suspect enters a building, structure, confined space, isolated area or dense or difficult terrain, and there are insufficient officers to provide backup and containment. The primary officer should consider discontinuing the foot pursuit and coordinating containment pending the arrival of sufficient resources.
- (h) The officer becomes aware of unanticipated or unforeseen circumstances that unreasonably increase the risk to officers or the public.
- (i) The officer reasonably believes that the danger to the pursuing officers or public outweighs the objective of immediate apprehension.
- (j) The officer loses possession of his/her firearm or other essential equipment.
- (k) The officer or a third party is injured during the foot pursuit, requiring immediate assistance, and there are no other emergency personnel available to render assistance.
- (l) The suspect's location is no longer known.

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Foot Pursuits

- (m) The identity of the suspect is established or other information exists that will allow for the suspect's apprehension at a later time, and it reasonably appears that there is no immediate threat to department members or the public if the suspect is not immediately apprehended.
- (n) The officer's ability to safely continue the foot pursuit is impaired by inclement weather, darkness or other environmental conditions.

307.5 RESPONSIBILITIES IN FOOT PURSUITS

307.5.1 INITIATING OFFICER RESPONSIBILITIES

Unless relieved by another officer or a supervisor, the initiating officer shall be responsible for coordinating the progress of the pursuit and containment. When acting alone and when practicable, the initiating officer should not attempt to overtake and confront the suspect but should attempt to keep the suspect in sight until sufficient officers are present to safely apprehend the suspect.

Early communication of available information from the involved officers is essential so that adequate resources can be coordinated and deployed to bring a foot pursuit to a safe conclusion. Officers initiating a foot pursuit should, at a minimum, broadcast the following information as soon as it becomes practicable and available:

- (a) Location and direction of travel
- (b) Call sign identifier
- (c) Reason for the foot pursuit, such as the crime classification
- (d) Number of suspects and description, to include name if known
- (e) Whether the suspect is known or believed to be armed with a dangerous weapon

Officers should be mindful that radio transmissions made while running may be difficult to understand and may need to be repeated.

Absent extenuating circumstances, any officer unable to promptly and effectively broadcast this information should terminate the foot pursuit. If the foot pursuit is discontinued for any reason, immediate efforts for containment should be established and alternatives considered based upon the circumstances and available resources.

When a foot pursuit terminates, the officer will notify the dispatcher of his/her location and the status of the foot pursuit termination (e.g., suspect in custody, lost sight of suspect), and will direct further actions as reasonably appear necessary, to include requesting medical aid as needed for officers, suspects or members of the public.

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307.5.2 ASSISTING OFFICER RESPONSIBILITIES

Whenever any officer announces that he/she is engaged in a foot pursuit, all other officers should minimize non-essential radio traffic to permit the involved officers maximum access to the radio frequency.

Officer Response to Calls

308.1 PURPOSE AND SCOPE

This policy provides officers with guidelines for the safe and appropriate vehicular response to emergency and non-emergency incidents or requests for assistance, whether these are dispatched or self-initiated.

308.2 POLICY

It is the policy of this department to appropriately respond to emergency and non-emergency calls for service or requests for assistance, whether these are dispatched or self-initiated.

308.3 RESPONSE TO CALLS

Officers responding to non-emergency calls shall proceed accordingly, unless they are sent or redirected to a higher priority call, and shall obey all traffic laws.

308.3.1 ROUTINE CALLS

Officers responding to routine calls requesting assistance, respond expeditiously at normal traffic speeds. A routine call is one that is not in progress, and is normally a crime against property. This type of call can also be of a more serious nature, but due to the amount of time that has passed from the time the crime was actually committed, it does not warrant an emergency response.

308.3.2 EMERGENCY CALLS

Officers responding to an emergency call shall proceed immediately and shall continuously operate the emergency vehicle lighting and siren as required by law (I.C. § 9-21-1-8). When officers responding to emergency calls reach an area within reasonably close proximity of the crime scene, sirens may be turned off for calls where the probable offender(s) may be present. The warning sound of the siren could cause panic in the offender(s) and result in physical harm or death to citizens in the area of the crime.

Officers should only respond to a call as an emergency response when so dispatched or when circumstances reasonably indicate an emergency response is required. This includes, but is not limited to (I.C. § 9-19-14-3):

- (a) When in pursuit or apprehending a violator or suspected violator.
- (b) When responding to a reported emergency involving possible personal injury, death or significant property damage.
- (c) When immediate assistance is requested by an officer or other law enforcement agency.

Officers not responding to a call as an emergency response shall observe all traffic laws and proceed without the use of emergency lights and siren.

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308.4 REQUESTING EMERGENCY ASSISTANCE

When requesting emergency assistance, the involved department member should reasonably believe there is an imminent threat to the safety of him/herself or another person, or that assistance is needed to prevent imminent serious harm to the public.

If circumstances permit, the requesting member should provide the following information:

- Identifying call sign
- Location of the emergency situation
- Suspect information, including weapons
- Reason for the request and type of emergency
- The number of officers or resources required
- Hazards and any known or potential dangers for responding officers

In any event where a situation has stabilized and emergency response is not required, the requesting member shall immediately notify the dispatcher.

308.5 SAFETY CONSIDERATIONS

Officers responding to an emergency call shall proceed immediately as appropriate and shall continuously operate the emergency vehicle lighting and siren as required by law (I.C. § 9-13-2-6(1)(B)).

Responding with emergency lights and siren does not relieve the operator of an emergency vehicle of the duty to continue to drive with due regard for the safety of all persons and property, and does not protect the operator from the consequences of reckless disregard for the safety of others. However the officer may, when responding to a call with an emergency response, and provided there is no endangerment or unnecessary risk to persons and property (I.C. § 9-21-1-8):

- Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.
- Exceed the speed limit.
- Disregard regulations governing direction of movement or turning in specified directions.
- Park or stand in the roadway.
- Execute lawful intervention techniques.

When officers responding to emergency calls reach an area within reasonably close proximity of the crime scene, sirens may be turned off for calls where the probable offender(s) may be present. The warning sound of the siren could cause panic in the offender(s) and result in physical harm or death to citizens in the area of the crime.

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308.5.1 NUMBER OF OFFICERS ASSIGNED

Only the number of officers that are reasonably necessary should be assigned to respond to an emergency call or request for assistance.

An emergency response involving more than one police vehicle should be coordinated by the Dispatch Center .

308.6 EMERGENCY EQUIPMENT

Vehicles not equipped with emergency lights and siren are prohibited from initiating or joining in an emergency response. Officers in such vehicles may provide support to pursuing vehicles as long as the vehicles are operated in compliance with all traffic laws. Those officers should terminate their involvement in any emergency response immediately upon arrival of a sufficient number of emergency law enforcement vehicles (I.C. § 9-19-5-3).

If the emergency equipment on the vehicle should fail to operate, the officer must terminate the emergency response and continue accordingly. The officer shall notify the Shift Supervisor and dispatcher of the equipment failure so that another officer may be assigned to the emergency response.

308.7 OFFICER RESPONSIBILITIES

The decision to initiate or continue an emergency response is at the discretion of the officer. If, in the officer's judgment, the weather, traffic and road conditions do not permit such a response without unreasonable risk, the officer may elect to respond to the call without the use of emergency lights and siren at the legal speed limit. An officer shall also discontinue an emergency response when directed by a supervisor or as otherwise appropriate.

Upon receiving authorization or determining that an emergency response is appropriate, whenever practicable, an officer shall immediately give the location from which he/she is responding.

The first officer arriving at the emergency call should determine whether to increase or reduce the level of the response of additional officers and shall notify the dispatcher of his/her determination. Any subsequent change in the appropriate response level should be communicated to the dispatcher by the officer in charge of the scene unless a supervisor assumes this responsibility.

308.8 THE DISPATCH CENTER

When information reasonably indicates that the public is threatened with serious injury or death, or an officer requests emergency assistance and immediate law enforcement response is needed, the dispatcher shall assign an emergency response and ensure acknowledgement and response of handling and assisting officers.

308.8.1 RESPONSIBILITIES

Upon notification or assignment of an emergency response, the dispatcher is responsible for:

- (a) Confirming the location from which the officer is responding or requesting assistance.
- (b) Attempting to assign the closest available assisting officers to the location of the emergency call.

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- (c) Continuing to obtain and broadcast information as necessary concerning the response and monitoring the situation until it is stabilized or terminated.
- (d) Notifying and coordinating allied emergency services (e.g., fire, emergency medical services).
- (e) Controlling all radio communications during the emergency and coordinating assistance under the direction of the Shift Supervisor.

308.9 SUPERVISOR RESPONSIBILITIES

Supervisors shall monitor calls of their assigned units in order to determine when it is appropriate to alter officer assignments.

Supervisors may upgrade or downgrade a call depending on the information they receive in dispatch on the need for response for service.

Supervisors may poll officer locations of assigned districts and shift response assignments to emergency calls if they believe it will accomplish a more rapid response with less exposure to the public of speeding emergency vehicles.

Canines

309.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of canines to augment law enforcement services in the community, including but not limited to locating individuals and contraband and apprehending criminal offenders.

309.2 POLICY

It is the policy of the West Lafayette Police Department that teams of handlers and canines meet and maintain the appropriate proficiency to effectively and reasonably carry out legitimate law enforcement objectives.

309.3 HANDLER RESPONSIBILITIES

The canine handler shall ultimately be responsible for the health and welfare of the canine and shall ensure that the canine receives proper nutrition, grooming, training, medical care, affection and living conditions.

The canine handler will be responsible for the following:

- (a) Except as required during appropriate deployment, the handler shall not expose the canine to any foreseeable and unreasonable risk of harm.
- (b) The handler shall maintain all department equipment under his/her control in a clean and serviceable condition.
- (c) Canine handlers will be responsible for maintaining the working proficiency of their assigned canine.
- (d) Any changes in the living status of the handler that may affect the lodging or environment of the canine shall be reported to the canine coordinator as soon as possible.
- (e) Handlers shall permit the canine coordinator to conduct spontaneous on-site inspections of the affected area of thier homes as well as their canine vehicles, to verify that conditions and equipment conform to policy.
- (f) When off-duty, the canine shall be in a kennel provided by the City at the home of the handler. When a canine is kenneled at the handler's home, the gate shall be secured with a lock. When off-duty, the canine may be let out of the kennel while under the direct control of the handler.
- (g) The canine can be permitted to socialize in the home with the handler's family for short periods of time and under the direct supervision of the handler.
- (h) Under no circumstances will the canine be lodged at another location unless approved by the canine coordinator.

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- (i) When off-duty, the handler shall not involve the canine in any law enforcement activity or official conduct unless approved in advance by the canine coordinator or Shift Supervisor.
- (j) Whenever a canine handler is off-duty for an extended number of days, it may be necessary to temporarily relocate the canine. In those situations, the handler shall make appropriate arrangements. If the canine is housed outside of the canine handlers normal place of residence, prior approval is required from the canine coordinator.
- (k) Canine handlers will be required to maintain current monthly reports on training, usage, and care of assigned canines. All training reports, usage reports, and vaccination reports can be reviewed at any time but will be submitted to the Patrol Division Commander, or person designated as the canine coordinator, at the end of the fiscal year.
- (l) Prisoner transport – Under no circumstances will a canine team transport a suspect who was physically apprehended by the canine.

309.3.1 CANINE IN PUBLIC AREAS

The canine should be kept on a leash when in areas that allow access to the public. Exceptions to this rule would include specific law enforcement operations for which the canine is trained.

- (a) A canine shall not be left unattended in any area to which the public may have access.
- (b) When the canine vehicle is left unattended, all windows and doors shall be secured in such a manner as to prevent unauthorized access to the canine. The handler shall also ensure that the unattended vehicle remains inhabitable for the canine.

309.4 REQUESTS FOR CANINE TEAMS

Patrol Division members are encouraged to request the use of a canine. Requests for a canine team from other departments shall be reviewed by the Shift Supervisor for availability.

309.4.1 USE OF CANINE UNIT

1. Call out – The canine team will be on-call 24 hours a day, every day of the year.
2. Felony calls – When on duty, a canine unit should be dispatched to all felony calls in progress should the suspect attempt to flee, abandon an auto, or remain in a building or structure. When off duty, the decision to call out a canine unit will be made by a senior staff member, shift supervisor, or in their absence, the officer in charge.
3. Vehicle Pursuits – A canine unit will respond to the area of all vehicle pursuits in case the suspects abandon the auto and flee on foot. If at all possible the canine unit should assume the second or third car position in the pursuit.
4. Protection of officers and third parties – The canine will defend officers and third parties in the event that they are physically assaulted or an attempt is made to assault them.
5. Special Response Team – A canine team may be dispatched to the scene of S.R.T. operations.

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6. Riot situations – Canine teams should be dispatched to all riot situations to be used as officer protection and crowd control.

7. Traffic stop deployments – Canine officers can assist with the free air “sniffing” of vehicles to discover drugs. Canines can be used for probable cause searches, consent searches, reasonable suspicion searches, and brief sniffs of cars on traffic stops, as well as in parking lots or otherwise in areas the officer has a legal right to be.

8. Building/Area deployments – Drug sniffs of locations can be done from public areas or with the consent of the property owner, a search warrant, or any exigent circumstance, as well as any other areas that the officer has a legal right to be.

9. Active break-in alarms or scenes of a break-in – The location can be cleared safely and quickly with a canine team. When the dog is used for a building search the canine officer will make loud verbal announcements as to the use and deployment of a trained police dog and ample time to respond will be given to allow any possible suspects to surrender.

309.4.2 PUBLIC DEMONSTRATION

All public requests for a canine team shall be reviewed and, if appropriate, approved by the Patrol Commander or Canine Coordinator prior to making any resource commitment. The canine coordinator is responsible for obtaining resources and coordinating involvement in the demonstration to include proper safety protocols. Canine handlers shall not demonstrate any apprehension work unless authorized to do so by the Patrol Commander or Canine Coordinator.

309.4.3 OUTSIDE AGENCY REQUEST

All requests for canine assistance from outside agencies must be approved by the Shift Supervisor and are subject to the following:

- (a) Canine teams shall not be used for any assignment that is not consistent with this policy.
- (b) The canine handler shall have the authority to decline a request for any specific assignment that he/she deems unsuitable.
- (c) Calling out off-duty canine teams is discouraged and must be approved by the Patrol Commander.
- (d) It shall be the responsibility of the canine handler to coordinate operations with agency personnel in order to minimize the risk of unintended injury.
- (e) It shall be the responsibility of the canine handler to complete all necessary reports or as directed.

309.5 APPREHENSION GUIDELINES

A canine may be used to locate and apprehend a suspect if the suspect is believed to have committed a felony or a misdemeanor crime of violence and if any of the following conditions exist:

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- (a) There is a reasonable belief the suspect poses an imminent threat of violence or serious harm to the public, any officer or the handler.
- (b) The suspect is physically resisting or threatening to resist arrest and the use of a canine reasonably appears to be necessary to overcome such resistance.
- (c) The suspect is believed to be concealed in an area where entry by other than the canine would pose a threat to the safety of officers or the public.

It is recognized that situations may arise that do not fall within the provisions set forth in this policy. Such events require consideration of the totality of the circumstances and the use of an objective reasonableness standard applied to the decision to use a canine.

Absent a reasonable belief that a suspect has committed, is committing or is threatening to commit a serious offense, mere flight from a pursuing officer, without any of the above conditions, shall not serve as the basis for the use of a canine to apprehend a suspect.

Use of a canine to locate and apprehend a suspect wanted for a lesser criminal offense than those identified above requires approval from the Shift Supervisor. Absent a change in circumstances that present an imminent threat to officers, the canine or the public, such canine use should be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual.

In all applications, once the suspect has been located and no longer reasonably appears to present a threat or risk of escape, the handler should secure the canine as soon as it becomes reasonably practicable.

If the canine has apprehended the suspect with a secure bite, and the handler believes that the suspect no longer poses a threat, the handler should promptly command the canine to release the suspect.

309.5.1 PREPARATION FOR DEPLOYMENT

Prior to the use of a canine to search for or apprehend any suspect, the canine handler and/or the supervisor on-scene should carefully consider all pertinent information reasonably available at the time. The information should include, but is not limited to:

- (a) The nature and seriousness of the suspected offense.
- (b) Whether violence or weapons were used or are anticipated.
- (c) The degree of resistance or threatened resistance, if any, the suspect has shown.
- (d) The suspect's known or perceived age.
- (e) The potential for injury to officers or the public caused by the suspect if the canine is not utilized.
- (f) Any potential danger to the public and/or other officers at the scene if the canine is released.

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- (g) The potential for the suspect to escape or flee if the canine is not utilized.

As circumstances permit, the canine handler should make every reasonable effort to communicate and coordinate with other involved members to minimize the risk of unintended injury.

It is the canine handler's responsibility to evaluate each situation and determine whether the use of a canine is appropriate and reasonable. The canine handler shall have the authority to decline the use of the canine whenever he/she deems deployment is unsuitable.

A supervisor who is sufficiently apprised of the situation may prohibit deploying the canine.

Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.

309.5.2 WARNINGS AND ANNOUNCEMENTS

Unless it would increase the risk of injury or escape, a clearly audible warning announcing that a canine will be used if the suspect does not surrender should be made prior to releasing a canine. The handler should allow a reasonable time for a suspect to surrender and should quiet the canine momentarily to listen for any verbal response to the warning. If feasible, other members should be in a location opposite the warning to verify that the announcement could be heard. If available, warnings given in other languages should be used as necessary.

If a warning is not to be given, the canine handler, when practicable, should first advise the supervisor of his/her decision before releasing the canine. In the event of an apprehension, the handler shall document in any related report how the warning was given and, if none was given, the reasons why.

309.5.3 REPORTING DEPLOYMENTS, BITES AND INJURIES

Whenever a canine deployment results in a bite or causes injury to an intended suspect, a supervisor should be promptly notified and the injuries documented in a use of force report. The injured person shall be promptly treated by emergency medical services personnel and, if appropriate, transported to an appropriate medical facility for further treatment. The deployment and injuries should also be included in any related incident or arrest report.

Any unintended bite or injury caused by a canine, whether on- or off-duty, shall be promptly reported to the canine coordinator. Unintended bites or injuries caused by a canine should be documented in a case report.

If an individual alleges an injury, either visible or not visible, a supervisor shall be notified and both the individual's injured and uninjured areas shall be photographed as soon as practicable after first tending to the immediate needs of the injured party. Photographs shall be retained as evidence in accordance with current department evidence procedures. The photographs shall be retained until the criminal proceeding is completed and the time for any related civil proceeding has expired.

In the event of a canine bite, whether intentional or accidental, the handler shall obtain a signed release of medical records and obtain a body worn camera statement from the suspect.

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309.6 NON-APPREHENSION GUIDELINES

Properly trained canines may be used to track or search for non-criminals (e.g., lost children, individuals who may be disoriented or in need of medical attention). The canine handler is responsible for determining the canine's suitability for such assignments based on the conditions and the particular abilities of the canine. When the canine is deployed in a search or other non-apprehension operation, the following guidelines apply:

- (a) Absent a change in circumstances that present an imminent threat to officers, the canine or the public, such applications should be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual, if located.
- (b) Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.
- (c) Throughout the deployment the handler should periodically give verbal assurances that the canine will not bite or hurt the individual and encourage the individual to make him/herself known.
- (d) Once the individual has been located, the handler should place the canine in a down-stay or otherwise secure it as soon as reasonably practicable.
- (e) The canine handler shall have the authority to decline a request for any specific assignment that he/she deems unsuitable.

309.6.1 ARTICLE DETECTION

A canine trained to find objects or property related to a person or crime may be used to locate or identify articles. A canine search should be conducted in a manner that minimizes the likelihood of unintended bites or injuries.

309.6.2 NARCOTICS DETECTION

A canine trained in narcotics detection may be used in accordance with current law and under certain circumstances, including:

- (a) The search of vehicles, buildings, bags and other articles.
- (b) Assisting in the search for narcotics during a search warrant service.
- (c) Obtaining a search warrant by using the narcotics-detection trained canine in support of probable cause.

A narcotics-detection trained canine will not be used to search a person for narcotics.

309.7 NON CANINE HANDLER CONDUCT ON SCENE

1. Secure the area.
2. Do not contaminate the area more than necessary.

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3. If forced entry is present, maintain and call for other units to maintain a silent perimeter. Do not enter the building or structure unless absolutely necessary.
4. Assist the canine team only as requested and directed by the handler or supervisor on scene.
5. If assigned as a back-up officer to the canine team, the handler will explain in detail what assistance is required.
6. On burglary calls, perimeter units should stay away from windows, doors, or other openings into the premises to be searched.
7. Keep loud noises and radio traffic to a minimum while the canine team is conducting a search.
8. Avoid lighting up the canine team with flashlights or spotlights.
9. Perimeter units should attempt to keep the area clear of any civilians.
10. In the case of a fleeing suspect, a perimeter should be set. The perimeter should consist of squad cars with fully lit emergency lights to assist in containing the suspect for canine. Officers should refrain from entering the perimeter area unless absolutely necessary. Officers on the scene should mark the last known location of the suspect that has not been contaminated with officers' scent.
11. Police canines shall not normally be handled or given commands by ANYONE other than the assigned handler. The police canine is not a pet and shall be treated as such. Handlers will not permit anyone to pet or hug their canine without their permission.

309.8 HANDLER SELECTION

The minimum qualifications for the assignment of canine handler include:

- (a) Have satisfactory work performance.
- (b) Be level headed in nature and able to make sound, split-second decisions.
- (c) An officer who is currently off probation.
- (d) Maintain good physical condition
- (e) Residing in an adequately fenced, single-family residence.
- (f) Have a willingness to care for and house the canine at the officer's residence with a kennel area that is provided by the department.

309.9 HANDLER COMPENSATION

The canine handler shall be available for call-out under conditions specified by the canine coordinator.

The canine handler shall be compensated for time spent in the care, feeding, grooming and other needs of the canine in accordance with the Fair Labor Standards Act (FLSA), (29 USC § 207).

See attachment: [Canine MOU 2020.pdf](#)

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309.10 CANINE INJURY AND MEDICAL CARE

In the event that a canine is injured, or there is an indication that the canine is not in good physical condition, the injury or condition will be reported to the canine coordinator

All medical attention shall be rendered by the designated canine veterinarian, except during an emergency where treatment should be obtained from the nearest available veterinarian. All records of medical treatment shall be maintained in the handler's personnel file.

309.11 TRAINING

Before assignment in the field, each canine team shall be trained and certified to meet current nationally recognized standards or other recognized and approved certification standards. Cross-trained canine teams or those canine teams trained exclusively for the detection of narcotics also shall be trained and certified to meet current nationally recognized standards or other recognized and approved certification standards established for their particular skills.

The canine coordinator shall be responsible for scheduling periodic training for all department members in order to familiarize them with how to conduct themselves in the presence of department canines.

All canine training shall be conducted while on-duty unless otherwise approved by the canine coordinator or Shift Supervisor.

309.11.1 CONTINUED TRAINING

Each canine team shall thereafter be recertified to a current nationally recognized standard or other recognized and approved certification standards on an annual basis. Additional training considerations are as follows:

- (a) Canine handlers are encouraged to engage in additional training with approval of the canine coordinator.
- (b) To ensure that all training is consistent, no handler, trainer or outside vendor is authorized to train to a standard that is not reviewed and approved by the Department.

309.11.2 FAILURE TO SUCCESSFULLY COMPLETE TRAINING

Any canine team failing to graduate or obtain certification shall not be deployed in the field for tasks the team is not certified to perform until graduation or certification is achieved. When reasonably practicable, pending successful certification, the canine handler shall be temporarily reassigned to regular patrol duties.

It is the handler's responsibility to notify the Patrol Division Commander or person designated as the canine unit supervisor if he notices a problem with his dog's performance.

309.11.3 TRAINING RECORDS

All canine training records shall be maintained by the canine handler and canine coordinator.

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309.11.4 TRAINING AIDS

Training aids are required to effectively train and maintain the skills of canines. Officers possessing, using or transporting controlled substances for canine training purposes must comply with federal and state requirements. Alternatively, the West Lafayette Police Department may work with outside trainers with the applicable licenses or permits.

309.11.5 CONTROLLED SUBSTANCE TRAINING AIDS

Officers acting in the performance of their official duties may possess or transfer controlled substances for the purpose of narcotics-detection canine training in compliance with state and federal laws (21 USC § 823(f)).

The Chief of Police or the authorized designee may authorize a member to seek a court order to allow controlled substances seized by the West Lafayette Police Department to be possessed by the member or a narcotics-detection canine trainer who is working under the direction of this department for training purposes, provided the controlled substances are no longer needed as criminal evidence.

As an alternative, the Chief of Police or the authorized designee may request narcotics training aids from the Drug Enforcement Administration (DEA).

These procedures are not required if the canine handler uses commercially available synthetic substances that are not controlled narcotics.

309.11.6 CONTROLLED SUBSTANCE PROCEDURES

Due to the responsibilities and liabilities involved with possessing readily usable amounts of controlled substances and the ever-present danger of the canine's accidental ingestion of these controlled substances, the following procedures shall be strictly followed:

- (a) All controlled substance training samples shall be weighed and tested prior to dispensing to the individual canine handler or trainer.
- (b) The weight and test results shall be recorded and maintained by this department.
- (c) Any person possessing controlled substance training samples pursuant to court order or DEA registration shall maintain custody and control of the controlled substances and shall keep records regarding any loss of, or damage to, those controlled substances.
- (d) All controlled substance training samples will be inspected, weighed and tested quarterly. The results of the quarterly testing shall be recorded and maintained by the canine coordinator with a copy forwarded to the dispensing agency.
- (e) All controlled substance training samples will be stored in locked, airtight and watertight cases at all times, except during training. The locked cases shall be secured in the trunk of the canine handler's assigned patrol vehicle during transport and stored in an appropriate locked container. There are no exceptions to this procedure.
- (f) The canine coordinator shall periodically inspect every controlled substance training sample for damage or tampering and take any appropriate action.

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- (g) Any unusable controlled substance training samples shall be returned to the Property and Evidence Section or to the dispensing agency.
- (h) All controlled substance training samples shall be returned to the dispensing agency upon the conclusion of the training or upon demand by the dispensing agency.

309.12 CANINE RETIREMENT

Canine officers may apply to take possession of their dog when the dog is retired from duty, injured permanently, or relieved of duty for any other reason and the department does not wish to reassign the canine to another handler.

309.13 CANINE COORDINATOR

The canine coordinator shall be appointed by and directly responsible to the Patrol Commander or the authorized designee.

The responsibilities of the coordinator include, but are not limited to:

- (a) Reviewing all canine use reports to ensure compliance with policy and to identify training issues and other needs of the program.
- (b) Maintaining a liaison with the vendor kennel.
- (c) Maintaining a liaison with command staff and functional supervisors.
- (d) Maintaining a liaison with other agency canine coordinators.
- (e) Maintaining accurate records to document canine activities.
- (f) Recommending and overseeing the procurement of equipment and services for the teams of handlers and canines.
- (g) Scheduling all canine-related activities.
- (h) Ensuring the canine teams are scheduled for regular training to maximize their capabilities.

Domestic or Family Violence

310.1 PURPOSE AND SCOPE

The purpose of this policy is to provide the guidelines necessary to deter, prevent and reduce domestic or family violence through vigorous enforcement and to address domestic or family violence as a serious crime against society. The policy specifically addresses the commitment of the West Lafayette Police Department to take enforcement action when appropriate, to provide assistance to victims and to guide officers in the investigation of domestic or family violence.

310.1.1 DEFINITIONS

Definitions related to this policy include:

Court order - All forms of orders related to domestic or family violence, that have been issued by a court of this state or another, whether civil or criminal, regardless of whether service has been made.

Domestic or family violence - When a family or household member commits, attempts to commit or conspires to commit any of the offenses specified in I.C. § 35-31.5-2-76 against another family or household member.

310.2 POLICY

The West Lafayette Police Department's response to incidents of domestic or family violence and violations of related court orders shall stress enforcement of the law to protect the victim and shall communicate the philosophy that domestic or family violence is criminal behavior. It is also the policy of this department to facilitate victims' and offenders' access to appropriate civil remedies and community resources whenever feasible.

310.3 OFFICER SAFETY

The investigation of domestic or family violence cases often places officers in emotionally charged and sometimes highly dangerous environments. No provision of this policy is intended to supersede the responsibility of all officers to exercise due caution and reasonable care in providing for the safety of any officers and parties involved.

310.4 INVESTIGATIONS

The following guidelines should be followed by officers when investigating domestic or family violence cases:

- (a) Calls of reported, threatened, imminent, or ongoing domestic or family violence and the violation of any court order are of extreme importance and should be considered among the highest response priorities. This includes incomplete 9-1-1 calls.
- (b) When practicable, officers should obtain and document statements from the victim, the suspect, and any witnesses, including children, in or around the household or location of occurrence.

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- (c) Officers should list the full name and date of birth (and school if available) of each child who was present in the household at the time of the offense. The names of other children who may not have been in the house at that particular time should also be obtained for follow-up.
- (d) When practicable and legally permitted, video or audio record all significant statements and observations.
- (e) All injuries should be photographed, regardless of severity, taking care to preserve the victim's personal privacy. Where practicable, photographs should be taken by a person of the same sex. Victims whose injuries are not visible at the time of the incident should be asked to contact the Criminal Investigation in the event that the injuries later become visible.
- (f) Officers should request that the victim complete and sign an authorization for release of medical records related to the incident when applicable.
- (g) If the suspect is no longer at the scene, officers should make reasonable efforts to locate the suspect to further the investigation, provide the suspect with an opportunity to make a statement, and make an arrest or seek an arrest warrant if appropriate.
- (h) Seize any firearms or other dangerous weapons in the home, if appropriate and legally permitted, for safekeeping or as evidence (I.C. § 35-33-1-1.5).
- (i) When completing an incident or arrest report for violation of a court order, officers should include specific information that establishes that the offender has been served, including the date the offender was served, the name of the agency that served the order, and the provision of the order that the subject is alleged to have violated. When reasonably available, the arresting officer should attach a copy of the order to the incident or arrest report.
- (j) Officers should take appropriate enforcement action when there is probable cause to believe an offense has occurred. Factors that should not be used as sole justification for declining to take enforcement action include:
 - 1. Whether the suspect lives on the premises with the victim.
 - 2. Claims by the suspect that the victim provoked or perpetuated the violence.
 - 3. The potential financial or child custody consequences of arrest.
 - 4. The physical or emotional state of either party.
 - 5. Use of drugs or alcohol by either party.
 - 6. Denial that the violence occurred where evidence indicates otherwise.
 - 7. A request by the victim not to arrest the suspect.
 - 8. Location of the incident (public/private).
 - 9. Speculation that the complainant may not follow through with the prosecution.
 - 10. Actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or marital status of the victim or suspect.

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11. The social status, community status, or professional position of the victim or suspect.
- (k) Calls involving members should be handled consistent with the requirements of this policy and in the same manner as calls that do not involve a member. Officers responding to a call should notify a supervisor as soon as reasonably practicable. Supervisors should report to the scene, as necessary, and ensure that the Chief of Police is notified of the incident.

310.4.1 IF A SUSPECT IS ARRESTED

If a suspect is arrested, officers should:

- (a) Advise the victim that there is no guarantee the suspect will remain in custody.
- (b) Provide the victim's contact information to the jail staff to enable notification of the victim upon the suspect's release from jail.
- (c) Advise the victim whether any type of court order will be in effect when the suspect is released from jail.

310.4.2 IF NO ARREST IS MADE

If no arrest is made, the officer should:

- (a) Advise the parties of any options, including but not limited to:
 1. Voluntary separation of the parties.
 2. Appropriate resource referrals (e.g., counselors, friends, relatives, shelter homes, victim witness assistance).
- (b) Document the resolution in a report.

310.5 VICTIM ASSISTANCE

Because victims may be traumatized or confused, officers should be aware that a victim's behavior and actions may be affected.

- (a) Victims shall be provided with the department's domestic violence information and the victims' rights information handouts, even if the incident may not rise to the level of a crime (I.C. § 35-33-1-1.5).
- (b) Victims should also be alerted to any available victim advocates, shelters and community resources.
- (c) When an involved person requests law enforcement assistance while removing essential items of personal property, officers shall stand by for a reasonable amount of time (I.C. § 35-33-1-1.5).
- (d) If the victim has sustained injury or complains of pain, officers should seek medical assistance for the victim as soon as practicable.

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- (e) Officers should ask the victim whether he/she has a safe place to stay and assist in arranging transportation to an alternate shelter or other designated place of safety if the victim either expresses a concern for his/her safety or if the officer determines that a need exists (I.C. § 35-33-1-1.5).
- (f) Officers should make reasonable efforts to ensure that any children or dependent adults who are under the supervision of the suspect or victim are being properly cared for.
- (g) If appropriate, officers should seek or assist the victim in obtaining an emergency order.
- (h) All reasonable steps to prevent further violence should be taken whether or not listed above (I.C. § 35-33-1-1.5).

310.6 DISPATCH ASSISTANCE

All calls of domestic or family violence, including incomplete 9-1-1 calls, should be dispatched as soon as practicable.

Dispatchers are not required to verify the validity of a court order before responding to a request for assistance. Officers should request that dispatchers check whether any of the involved persons are subject to the terms of a court order.

310.6.1 DISPATCH RESPONSIBILITIES

Domestic Violence calls shall be treated as a possible life threatening call. Officers dispatched should be given as much information as possible that may aid in protecting the officer and victim's lives. Information that should be ascertained by Dispatch and forwarded includes:

- a) Whether the suspect is still present;
- b) Suspect's identity, description, and location (if known);
- c) Whether the suspect is under the influence of alcohol or drugs;
- d) If a weapon is involved;
- e) Number of children present;
- f) Any current protective or restraining orders against the suspect; and
- g) Any complaint history, including weapons.

No less than two officers should be dispatched whenever possible.

A dispatcher shall not cancel police response if a call from the complainant is received canceling the call. However, officers responding to the incident should be informed of the call.

310.7 FOREIGN COURT ORDERS

Various types of orders may be issued in domestic or family violence cases. Any foreign court order properly issued by a court of another state, Indian tribe or territory shall be enforced by officers as if it were the order of a court in this state. An order should be considered properly issued

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when it reasonably appears that the issuing court has jurisdiction over the parties and reasonable notice and opportunity to respond was given to the party against whom the order was issued (18 USC § 2265; I.C. § 34-26-5-17). An otherwise valid out-of-state court order shall be enforced, regardless of whether the order has been properly registered with this state, except for certain mutual protection orders.

A certified copy of an order for protection is not required for enforcement nor is a paper copy if the order is retrievable from a database in a perceivable form. If a foreign court order is not presented, an investigating officer may consider other information to determine under a totality of the circumstances whether there is probable cause to believe that a valid foreign court order exists (I.C. § 34-26-5-17).

If an investigating officer determines that an otherwise valid foreign court order cannot be enforced because the subject of the order has not been notified or served with the order, the officer shall (I.C. § 34-26-5-17):

- (a) Inform the subject of the order.
- (b) Serve the order on the subject of the order.
- (c) Ensure that the order and service of the order are entered into the state depository.
- (d) Allow the subject of the order a reasonable opportunity to comply with the order before enforcing the order.
- (e) Ensure the safety of the protected person while giving the subject of the order the opportunity to comply with the order.

310.8 VERIFICATION OF COURT ORDERS

Determining the validity of a court order, particularly an order from another jurisdiction, can be challenging. Therefore, in determining whether there is probable cause to make an arrest for a violation of any court order, officers should carefully review the actual order when available, and, where appropriate and practicable:

- (a) Ask the subject of the order about his/her notice or receipt of the order, knowledge of its terms and efforts to respond to the order.
- (b) Check available records or databases that may show the status or conditions of the order.
- (c) Contact the issuing court to verify the validity of the order.
- (d) Contact a law enforcement official from the jurisdiction where the order was issued to verify information.

Officers should document in an appropriate report their efforts to verify the validity of an order, regardless of whether an arrest is made. Officers should contact a supervisor for clarification when needed.

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310.9 STANDARDS FOR ARRESTS

Officers investigating a domestic or family violence report should consider the following:

- (a) An officer investigating a crime involving domestic or family violence should make an arrest of a suspect when lawful to do so (unless a supervisor grants an exception) (I.C. § 35-33-1-1.5).
- (b) A person arrested for an offense or attempted offense involving the use of force or threatened use of a deadly weapon committed against a current or former spouse, parent, guardian, person with whom the person shared a child in common or cohabitant shall be kept in custody for at least eight hours from the time of the arrest even if the person provides bail pursuant to I.C. § 35-33-1-1.7 (I.C. § 35-31.5-2-78).
- (c) An officer may arrest a person for the following offenses upon probable cause even if the offense did not rise to the level of a felony or was not committed in the officer's presence (I.C. § 35-33-1-1):
 - 1. Domestic battery
 - 2. Interference with reporting of a crime
 - 3. Preventing the reporting of a crime involving domestic or family violence

310.9.1 FACTORS SUPPORTING PROBABLE CAUSE

The following list includes, but is not limited to, factors supporting probable cause warrantless arrests for misdemeanor domestic battery:

- a) Visible signs of injury or impairment to the victim.
- b) Use of any dangerous objects or weapons.
- c) Knowledge of prior assaults by the offender or a history of police calls.
- d) Any threats overheard by officers or relayed to officers by the victim.
- e) Circumstantial evidence that suggest that an assault occurred (e.g., phone pulled out of wall, furniture broken, door broken, etc.).
- f) Statements made by witnesses (neighbors, children).
- g) Factors that lead the officer to believe that the violence will reoccur such as:
 - (1) The offender has a history of arrests or police calls involving domestic violence.
 - (2) The offender is violating a criminal court-issued "no contact" or "restraining" order.
 - (3) The offender has previously violated valid temporary restraining orders.
 - (4) The offender has a prior history of other assaulting behavior (e.g., arrests and convictions for battery or aggravated assaults).

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h) Statements taken from the victim expressing fear of retaliation or further violence should the offender be released.

If the offender has left the scene, officers shall in addition to the previously listed steps:

1. Conduct a search of the immediate area;
2. Obtain information from the victim and any witnesses regarding the offender's possible location; and
3. If the offender is located within twenty-four hours you can make a warrantless arrest of the batterer for misdemeanor domestic battery if probable cause exists. After the twenty-four hour time period has elapsed, a warrant must be secured.

a. Felony Battery has no time limit.

Inform the victim that the batterer will be arrested if located within the twenty-four hour time period, and will be incarcerated for a twelve-hour period before being eligible for bond.

Advise the victim they may call the Tippecanoe County Jail Book In Station to find out when the batterer is released.

Search and Seizure

311.1 PURPOSE AND SCOPE

Both the federal and state constitutions provide every individual with the right to be free from unreasonable searches and seizures. This policy provides general guidelines for West Lafayette Police Department personnel to consider when dealing with search and seizure issues.

311.2 POLICY

It is the policy of the West Lafayette Police Department to respect the fundamental privacy rights of individuals. Members of this department will conduct searches in strict observance of the constitutional rights of persons being searched. All seizures by this department will comply with relevant federal and state law governing the seizure of persons and property.

The Department will provide relevant and current training to officers as guidance for the application of current law, local community standards and prosecutorial considerations regarding specific search and seizure situations, as appropriate.

311.3 SEARCHES AND INVENTORIES

The U.S. Constitution generally provides that a valid warrant is required in order for a search to be valid. There are, however, several exceptions to the rule that permit a warrantless search.

Examples of law enforcement activities that are exceptions to the general warrant requirement include, but are not limited to, searches pursuant to the following:

- Valid consent
- Incident to a lawful arrest
- Legitimate community caretaking interests
- Vehicle searches under certain circumstances
- Exigent circumstances

Certain other activities are recognized by federal and state courts and by certain statutes as legitimate law enforcement activities that may not require a warrant. Such activities may include seizure and examination of abandoned property and observations of activities and property located on open public areas.

Further exceptions may include:

- Pat-down weapons search (i.e., stop and frisk)
- Crime scenes (i.e., protective sweep)
- Inventories of property per the Vehicle Towing Policy and the Custodial Searches Policy.
- Plain view
- Emergency aid

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Because case law regarding search and seizure is constantly changing and subject to interpretation by the courts, each member of this department is expected to act in each situation according to current training and member's familiarity with clearly established rights as determined by case law.

Whenever practicable, officers are encouraged to contact a supervisor to resolve questions regarding search and seizure issues prior to electing a course of action.

311.3.1 CONSENT SEARCHES

Consent must be voluntary and by the actual occupant of the property. In the case of a vehicle the operator of the vehicle may give consent if the owner is not present.

To validate a consensual search the officers must be able to show that the accused's consent was "Voluntary and not the result of force or coercion."

A person in police custody has the right to the assistance of counsel before consenting to a search. The person in custody must be specifically advised of this right and give a valid waiver of the right before consent can be obtained. (Indiana Pirtle Warning).

All custodial consent searches will be documented on the department "Advise of Rights – Consent to Search" form or on the officers body worn camera.

311.3.2 CONSENT SEARCH OF HOMES

Consent will be documented on the department "Consent to search form" or on the officers body worn camera.

311.3.3 REVOCATION OF CONSENT

The person giving consent may at any time revoke his/her consent. The accused may also limit his/her consent to only certain areas.

311.4 PROBABLE CAUSE SEARCH OF MOVING VEHICLE

Officers may search an automobile that has been moving or is temporarily stopped, if they have probable cause to believe the vehicle contains items subject to seizure that are in plain view and observed during the stop.

This type of search can occur when officers have probable cause to believe the vehicle contains weapons or "Contraband." Probable cause may be based on traces of contraband in "plain view" or the odor of the same. The presence of contraband or weapons may also be inferred if an occupant of the vehicle makes a "furtive gesture" as if to be hiding something from the officer.

311.5 EMERGENCY WARRANTLESS SEARCHES

A warrantless search may be justified in emergency situations.

Officers may enter a dwelling without a warrant in response to exigent circumstances, i.e.: screams for help, fire, etc. This search will be limited to locating victims or suspects unless seizable items are observed in "plain view."

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Officers may also enter a dwelling when in "fresh pursuit" of a suspect.

IC 35-33-3-5 "Fresh pursuit" defined

The term "fresh pursuit" as used in this chapter shall include fresh pursuit as defined by the common law, and also the pursuit of a person who has committed a felony or who reasonably is suspected of having committed a felony. It shall also include the pursuit of a person suspected of having committed a supposed felony, though no felony actually has been committed, if there is reasonable ground for believing that a felony has been committed. Fresh pursuit shall not necessarily imply instant pursuit, but pursuit without unreasonable delay.

311.6 SEARCH CRITERIA

Although conditions will vary and officer safety and other exigencies must be considered in every search situation, the following guidelines should be followed whenever circumstances permit:

- (a) Members of this department will strive to conduct searches with dignity and courtesy.
- (b) Officers should explain to the person being searched the reason for the search and how the search will be conducted.
- (c) Searches should be carried out with due regard and respect for private property interests and in a manner that minimizes damage. Property should be left in a condition as close as reasonably possible to its pre-search condition.
- (d) In order to minimize the need for forcible entry, an attempt should be made to obtain keys, combinations or access codes when a search of locked property is anticipated.
- (e) Whenever practicable, a search should not be conducted by a lone officer. A cover officer should be positioned to ensure safety and should not be involved in the search.
- (f) When the person to be searched is of the opposite sex as the searching officer, a reasonable effort should be made to summon an officer of the same sex as the subject to conduct the search. When it is not practicable to summon an officer of the same sex as the subject, the following guidelines should be followed:
 1. Another officer or a supervisor should witness the search.
 2. The officer should not search areas of the body covered by tight-fitting clothing, sheer clothing or clothing that could not reasonably conceal a weapon.

311.7 DOCUMENTATION

Officers are responsible for documenting any search in a case report and for ensuring that any required reports are sufficient including, at minimum, documentation of the following:

- Reason for the search
- Any efforts used to minimize the intrusiveness of any search (e.g., asking for consent or keys)
- What, if any, injuries or damage occurred
- All steps taken to secure property

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- The results of the search including a description of any property or contraband seized
- If the person searched is the opposite sex, any efforts to summon an officer of the same sex as the person being searched and the identification of any witness officer

Supervisors shall review reports to ensure the reports are accurate, that actions are properly documented and that current legal requirements and department policy have been met.

Child Abuse

312.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation of suspected child abuse. This policy also addresses when West Lafayette Police Department members are required to notify the Department of Child Services (DCS) of suspected child abuse.

312.1.1 DEFINITIONS

Definitions related to this policy include:

Child - Unless otherwise specified by a cited statute, a child is any person under the age of 18 years.

Child abuse - Any offense or attempted offense involving physical or sexual violence or neglect with a child victim when committed by a person responsible for the child's care or any other act that would mandate notification to a social service agency or law enforcement.

312.2 POLICY

The West Lafayette Police Department will investigate all reported incidents of alleged criminal child abuse and ensure DCS is notified as required by law.

312.3 MANDATORY NOTIFICATION

Members of the West Lafayette Police Department shall notify DCS when there is reason to believe a child may be the victim of abuse or neglect, whether or not there exists an imminent danger to the child's health or welfare (I.C. § 31-33-5-1; I.C. § 31-33-7-7).

For purposes of notification, child abuse or neglect means a child described in I.C. § 31-34-1-1 through I.C. § 31-34-1-5, regardless of whether the child needs care, treatment, rehabilitation, or the coercive intervention of a court (I.C. § 31-9-2-14).

Members of the West Lafayette Police Department shall also notify DCS anytime a suspected child victim of an offense under I.C. § 35-42-3.5-1 through I.C. § 35-42-3.5-1.4 (e.g., human trafficking, sexual trafficking/conduct, forced labor, forced marriage, prostitution), or I.C. § 35-45-4-1 et seq. (e.g., indecent acts, prostitution) is detained and may be a victim of child abuse or neglect (I.C. § 35-42-3.5-4; I.C. § 35-45-4-7).

312.3.1 NOTIFICATION PROCEDURE

Notification should occur as soon as practicable as follows (I.C. § 31-33-5-4):

- (a) Members should make an oral report by calling DCS or its child abuse and neglect hotline. Members may also fax or email reports of abuse or neglect to the appropriate child protective services agency.
- (b) If the child has died, the member shall also call and forward related reports to the appropriate County Prosecutor (I.C. § 31-33-8-4).

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312.4 QUALIFIED INVESTIGATORS

Qualified investigators should be available for child abuse investigations. These investigators should:

- (a) Conduct interviews in child-appropriate interview facilities.
- (b) Be familiar with forensic interview techniques specific to child abuse investigations.
- (c) Present all cases of alleged child abuse to the County Prosecutor for review (I.C. § 31-33-8-10).
- (d) Coordinate with other enforcement agencies, social service agencies, and school administrators as needed.
- (e) Provide referrals to therapy services, victim advocates, guardians, and support for the child and family as appropriate.
- (f) Participate in or coordinate with multidisciplinary investigative teams as applicable.

312.5 INVESTIGATIONS AND REPORTING

Officers shall conduct an immediate on-site assessment with DCS or the applicable child protective services agency whenever there is reason to believe that an offense has been committed, regardless of whether the officers believe there is an imminent danger to the child's health (I.C. § 31-33-7-7; I.C. § 31-33-8-2).

In all reported or suspected cases of child abuse, a report will be written. Officers shall write a report even if the allegations appear unfounded or unsubstantiated (I.C. § 31-33-8-8).

Investigations and reports related to suspected cases of child abuse should address, as applicable:

- (a) The overall basis for the contact. This should be done by the investigating officers in all circumstances where a suspected child abuse victim was contacted.
- (b) The exigent circumstances that existed if officers interviewed the child victim without the presence of a parent or guardian.
- (c) Any relevant statements the child may have made and to whom he/she made the statements.
- (d) If a child was taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.
- (e) Documentation of any visible injuries or any injuries identified by the child. This shall include photographs of such injuries, if practicable.
 - 1. Color photographs should be taken when possible (I.C. § 31-33-8-3).
- (f) Whether the child victim was transported for medical treatment or a medical examination.
- (g) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other children who may reside in the residence.

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- (h) Identification of any prior related reports or allegations of child abuse, including other jurisdictions, as reasonably known.
- (i) Previous addresses of the victim and suspect.
- (j) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.

All cases of the unexplained death of a child should be investigated as thoroughly as if it had been a case of suspected child abuse (e.g., a sudden or unexplained death of an infant).

312.6 PROTECTIVE CUSTODY

Before taking any child into protective custody, the officer should make reasonable attempts to contact DCS. Generally, removal of a child from his/her family, guardian, or other responsible adult should be left to the child welfare authorities when they are present or have become involved in an investigation (I.C. § 31-33-8-8).

Generally, members of this department should remove a child from his/her parent or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the child. Prior to taking a child into protective custody, the officer should take reasonable steps to deliver the child to another qualified parent or legal guardian unless it reasonably appears that the release would endanger the child or result in abduction. If this is not a reasonable option, the officer shall ensure that the child is delivered to DCS.

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking a child into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking a child into protective custody.

Children may only be removed from a parent or guardian:

- (a) Upon a court order or warrant (I.C. § 31-33-8-8; I.C. § 31-21-6-14; I.C. § 31-34-2-1).
- (b) When the member has probable cause to believe the child is in need of services and (I.C. § 31-34-2-3):
 - 1. It appears that the child's physical or mental condition will be seriously impaired or seriously endangered if the child is not immediately taken into custody.
 - 2. There is no reasonable opportunity to obtain an order of the court.
 - 3. Consideration for the safety of the child precludes the immediate use of family services to prevent removal of the child.

Appropriate documentation should be completed and forwarded to DCS as soon as practicable whenever an officer takes a child into custody (I.C. § 31-34-2-6).

312.6.1 SAFE HAVEN LAW

Officers shall take custody of a child who appears to be not more than 30 days old who is voluntarily left with the officer by a parent without an expressed intent to return for the child. Whenever practicable and necessary, an officer who takes custody of a child under such circumstances

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should take appropriate steps to protect the child's physical health or safety. Any person voluntarily leaving the child is not obligated to disclose the parent's or his/her own name (I.C. § 31-34-2.5-1).

The officer taking custody of the child shall immediately notify DCS to assume the care, control, and custody of the child (I.C. § 31-34-2.5-2).

312.7 INTERVIEWS

312.7.1 PRELIMINARY INTERVIEWS

Absent extenuating circumstances or impracticality, officers should not interview the the suspected child abuse victim prior to the notification of DCS to determine if a forensic interview should be conducted. Officers should record the preliminary interview with the reporting party of the suspected child abuse.. Officers should avoid multiple interviews with a child victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained in child forensic interviews is available. Generally, child victims should not be interviewed in the home or location where the alleged abuse occurred.

312.7.2 DETAINING SUSPECTED CHILD ABUSE VICTIMS FOR AN INTERVIEW

An officer should not detain a child involuntarily who is suspected of being a victim of child abuse solely for the purpose of an interview or physical exam without the consent of a parent or guardian unless one of the following applies:

- (a) Exigent circumstances exist, such as:
 - 1. A reasonable belief that medical issues of the child need to be addressed immediately.
 - 2. A reasonable belief that the child is or will be in danger of harm if the interview or physical exam is not immediately completed.
 - 3. The alleged offender is the custodial parent or guardian and there is reason to believe the child may be in continued danger.
- (b) A court order or warrant has been issued.

312.8 MEDICAL EXAMINATIONS

If the child has been the victim of abuse that requires a medical examination, the investigating officer should obtain consent for such examination from the appropriate parent, guardian, or agency having legal custody of the child. The officer should also arrange for the child's transportation to the appropriate medical facility.

In cases where the alleged offender is the custodial parent or guardian and is refusing consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the child for a medical examination, the notified supervisor should consider obtaining a court order for such an examination.

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Officers should request and obtain a copy of all photographs and a summary of X-rays and other medical care provided if available (I.C. § 31-33-10-3).

312.9 DRUG-ENDANGERED CHILDREN

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of children exposed to the manufacturing, trafficking, or use of narcotics (I.C. § 31-34-1-2).

312.10 STATE MANDATES AND OTHER RELEVANT LAWS

This department shall investigate alleged child abuse or neglect in the same manner that the Department conducts any other criminal investigation (I.C. § 31-33-8-2).

312.10.1 PROCESSING REPORTS AND RECORDS

The department shall release or forward any information, including copies of reports, to DCS and the appropriate juvenile court (I.C. § 31-33-7-7; I.C. § 31-33-8-11).

312.10.2 RELEASE OF REPORTS

Information related to incidents of child abuse or suspected child abuse, or the death of a child, shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (I.C. § 31-33-18-1; I.C. § 31-33-18-2).

312.10.3 CHILD FATALITY REVIEW TEAMS

This department will cooperate with, and provide documents upon request to, a local or state child death review team (I.C. § 16-49-2-1; I.C. § 16-49-2-4; I.C. § 16-49-3-5; I.C. § 16-49-6-4; I.C. § 16-49-5-2).

312.11 TRAINING

The Department should provide training on best practices in child abuse investigations to members tasked with investigating these cases. The training should include (I.C. § 5-2-8-2):

- (a) Participating in multidisciplinary investigations, as appropriate.
- (b) Conducting forensic interviews.
- (c) Availability of therapy services for children and families.
- (d) Availability of specialized forensic medical exams.
- (e) Cultural competence (including interpretive services) related to child abuse investigations.
- (f) Availability of victim advocate or guardian ad litem support.
- (g) Recognizing abuse that requires mandatory notification to another agency.

Adult Abuse

313.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation and reporting of suspected abuse of certain adults who may be more vulnerable than others. This policy also addresses mandatory notification for West Lafayette Police Department members as required by law.

313.1.1 DEFINITIONS

Definitions related to this policy include:

Adult abuse - Any offense or attempted offense involving violence or neglect of an adult victim when committed by a person responsible for the adult's care, or any other act that would mandate reporting or notification to a social service agency or law enforcement.

313.2 POLICY

The West Lafayette Police Department will investigate all reported incidents of alleged adult abuse and ensure proper reporting and notification as required by law.

313.3 MANDATORY NOTIFICATION

A member of the West Lafayette Police Department shall notify Adult Protective Services (APS) when the member reasonably believes a person has been the victim of adult abuse (I.C. § 35-46-1-13(c); I.C. § 12-10-3-9; I.C. § 12-10-3-10(b)).

For purposes of notification, adult abuse includes the battery, neglect, exploitation, or threat thereof, of a person who is 18 years or older and is incapable by reason of mental illness, developmental or intellectual disability, or dementia, or otherwise lacks the capacity to manage his/her property or to provide or direct the provision of self-care (I.C. § 12-10-3-2).

313.3.1 NOTIFICATION PROCEDURE

Notification shall be immediately made to the APS hotline or local APS unit, and should include as much of the following as is known (I.C. § 12-10-3-10):

- (a) The name, age and address of the victim
- (b) The names and addresses of family members or other persons financially responsible for the victim's care or other individuals who may be able to provide relevant information
- (c) The apparent nature and extent of the alleged neglect, battery or exploitation and the victim's physical and mental condition
- (d) The name, address and telephone number of any person who reported the alleged abuse to the Department and the basis of the reporter's knowledge
- (e) The name and address of the alleged offender
- (f) Any other relevant information regarding the circumstances of the endangered adult

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313.4 INVESTIGATIONS AND REPORTING

All reported or suspected cases of adult abuse require investigation and a report, even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of adult abuse should address, as applicable:

- (a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected adult abuse victim is contacted.
- (b) Any relevant statements the victim may have made and to whom he/she made the statements.
- (c) If a person is taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.
- (d) Documentation of any visible injuries or any injuries identified by the victim. This should include photographs of such injuries, if practicable.
- (e) Whether the victim was transported for medical treatment or a medical examination.
- (f) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other potential victims or witnesses who may reside in the residence.
- (g) Identification of any prior related reports or allegations of abuse, including other jurisdictions, as reasonably known.
- (h) Previous addresses of the victim and suspect.
- (i) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.

Any unexplained death of an adult who was in the care of a guardian or caretaker should be considered as potential adult abuse and investigated similarly.

313.5 PROTECTIVE CUSTODY

Removal of an adult abuse victim from his/her family, guardian or other responsible adult is the responsibility of APS (I.C. § 12-10-3-23; I.C. § 12-10-3-28).

When it appears necessary to protect adult abuse victims by taking the victim into protective custody, members should contact APS and request APS to obtain an emergency protective order.

313.6 INTERVIEWS

313.6.1 PRELIMINARY INTERVIEWS

Absent extenuating circumstances or impracticality, officers should audio record the preliminary interview with a suspected adult abuse victim. Officers should avoid multiple interviews with the victim and should attempt to gather only the information necessary to begin an investigation. When

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practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available.

313.6.2 DETAINING VICTIMS FOR INTERVIEWS

An officer should not detain an adult involuntarily who is suspected of being a victim of abuse solely for the purpose of an interview or physical exam without his/her consent or the consent of a guardian unless one of the following applies:

- (a) Exigent circumstances exist, such as:
 - 1. A reasonable belief that medical issues of the adult need to be addressed immediately.
 - 2. A reasonable belief that the adult is or will be in danger of harm if the interview or physical exam is not immediately completed.
 - 3. The alleged offender is a family member or guardian and there is reason to believe the adult may be in continued danger.
- (b) A court order or warrant has been issued.

313.7 MEDICAL EXAMINATIONS

When an adult abuse investigation requires a medical examination, the investigating officer should obtain consent for such examination from the victim, guardian, agency or entity having legal custody of the adult. The officer should also arrange for the adult's transportation to the appropriate medical facility.

In cases where the alleged offender is a family member, guardian, agency or entity having legal custody and is refusing to give consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the adult for a medical examination, the supervisor should consider other government agencies or services that may obtain a court order for such an examination.

313.8 DRUG-ENDANGERED VICTIMS

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of an adult abuse victim who has been exposed to the manufacturing, trafficking or use of narcotics.

313.9 TRAINING

The Department should provide training on best practices in adult abuse investigations to members tasked with investigating these cases. The training should include (I.C. § 5-2-8-2):

- (a) Participating in multidisciplinary investigations, as appropriate.
- (b) Conducting interviews.
- (c) Availability of therapy services for adults and families.
- (d) Availability of specialized forensic medical exams.

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- (e) Cultural competence (including interpretive services) related to adult abuse investigations.
- (f) Availability of victim advocates or other support.

Discriminatory Harassment

314.1 PURPOSE AND SCOPE

The purpose of this policy is to prevent department members from being subjected to discriminatory harassment, including sexual harassment and retaliation. Nothing in this policy is intended to create a legal or employment right or duty that is not created by law.

314.2 POLICY

The West Lafayette Police Department is an equal opportunity employer and is committed to creating and maintaining a work environment that is free of all forms of discriminatory harassment, including sexual harassment and retaliation. The Department will not tolerate discrimination against a member in hiring, promotion, discharge, compensation, fringe benefits and other privileges of employment. The Department will take preventive and corrective action to address any behavior that violates this policy or the rights and privileges it is designed to protect.

The nondiscrimination policies of the Department may be more comprehensive than state or federal law. Conduct that violates this policy may not violate state or federal law but still could subject a member to discipline.

314.3 DEFINITIONS

Definitions related to this policy include:

314.3.1 DISCRIMINATION

The Department prohibits all forms of discrimination, including any employment-related action by a member that adversely affects an applicant or member and is based on actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law.

Discriminatory harassment, including sexual harassment, is verbal or physical conduct that demeans or shows hostility or aversion toward an individual based upon that individual's protected class. It has the effect of interfering with an individual's work performance or creating a hostile or abusive work environment.

Conduct that may, under certain circumstances, constitute discriminatory harassment can include making derogatory comments; making crude and offensive statements or remarks; making slurs or off-color jokes; stereotyping; engaging in threatening acts; making indecent gestures, pictures, cartoons, posters, or material; making inappropriate physical contact; or using written material or department equipment and/or systems to transmit or receive offensive material, statements, or pictures. Such conduct is contrary to department policy and to a work environment that is free of discrimination.

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314.3.2 RETALIATION

Retaliation is treating a person differently or engaging in acts of reprisal or intimidation against the person because the person has engaged in protected activity, filed a charge of discrimination, participated in an investigation, or opposed a discriminatory practice. Retaliation will not be tolerated.

314.3.3 SEXUAL HARASSMENT

The Department prohibits all forms of discrimination and discriminatory harassment, including sexual harassment. It is unlawful to harass an applicant or a member because of that person's sex.

Sexual harassment includes but is not limited to unwelcome sexual advances, requests for sexual favors, or other verbal, visual, or physical conduct of a sexual nature when:

- (a) Submission to such conduct is made either explicitly or implicitly as a term or condition of employment, position, or compensation.
- (b) Submission to, or rejection of, such conduct is used as the basis for any employment decisions affecting the member.
- (c) Such conduct has the purpose or effect of substantially interfering with a member's work performance or creating an intimidating, hostile, or offensive work environment.

314.3.4 ADDITIONAL CONSIDERATIONS

Discrimination and discriminatory harassment do not include actions that are in accordance with established rules, principles, or standards, including:

- (a) Acts or omission of acts based solely upon bona fide occupational qualifications under the Equal Employment Opportunity Commission and the Indiana Civil Rights Commission guidelines.
- (b) Bona fide requests or demands by a supervisor that the member improve the member's work quality or output, that the member report to the job site on time, that the member comply with city or department rules or regulations, or any other appropriate work-related communication between supervisor and member.

314.4 RESPONSIBILITIES

This policy applies to all department members, who shall follow the intent of these guidelines in a manner that reflects department policy, professional standards, and the best interest of the Department and its mission.

Members are encouraged to promptly report any discriminatory, retaliatory, or harassing conduct or known violations of this policy to a supervisor. Any member who is not comfortable with reporting violations of this policy to the member's immediate supervisor may bypass the chain of command and make the report to a higher-ranking supervisor or manager. Complaints may also be filed with the Chief of Police, the Director of Human Resources, or the Clerk.

Any member who believes, in good faith, that the member has been discriminated against, harassed, or subjected to retaliation, or who has observed harassment, discrimination, or

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retaliation, is encouraged to promptly report such conduct in accordance with the procedures set forth in this policy.

Supervisors and managers receiving information regarding alleged violations of this policy shall determine if there is any basis for the allegation and shall proceed with a resolution as stated below.

314.4.1 QUESTIONS OR CLARIFICATION

Members with questions regarding what constitutes discrimination, sexual harassment, or retaliation are encouraged to contact a supervisor, a manager, the Chief of Police, the Director of Human Resources, or the Clerk for further information, direction, or clarification.

314.4.2 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors and managers shall include but are not limited to:

- (a) Continually monitoring the work environment and striving to ensure that it is free from all types of unlawful discrimination, including harassment or retaliation.
- (b) Taking prompt, appropriate action within their work units to avoid and minimize the incidence of any form of discrimination, harassment, or retaliation.
- (c) Ensuring that their subordinates understand their responsibilities under this policy.
- (d) Ensuring that members who make complaints or who oppose any unlawful employment practices are protected from retaliation and that such matters are kept confidential to the extent possible.
- (e) Making a timely determination regarding the substance of any allegation based upon all available facts.
- (f) Notifying the Chief of Police or the Director of Human Resources in writing of the circumstances surrounding any reported allegations or observed acts of discrimination, harassment, or retaliation no later than the next business day.

314.4.3 SUPERVISOR'S ROLE

Supervisors and managers shall be aware of the following:

- (a) Behavior of supervisors and managers should represent the values of the Department and professional standards.
- (b) False or mistaken accusations of discrimination, harassment, or retaliation can have negative effects on the careers of innocent members.

Nothing in this section shall be construed to prevent supervisors or managers from discharging supervisory or management responsibilities, such as determining duty assignments, evaluating or counseling members, or issuing discipline in a manner that is consistent with established procedures.

314.5 INVESTIGATION OF COMPLAINTS

Various methods of resolution exist. During the pendency of any such investigation, the supervisor of the involved member should take prompt and reasonable steps to mitigate or eliminate

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any continuing abusive or hostile work environment. It is the policy of the Department that all complaints of discrimination, retaliation, or harassment shall be fully documented, and promptly and thoroughly investigated.

314.5.1 SUPERVISOR RESOLUTION

Members who believe they are experiencing discrimination, harassment, or retaliation should be encouraged to inform the individual that the behavior is unwelcome, offensive, unprofessional, or inappropriate. However, if the member feels uncomfortable or threatened or has difficulty expressing the member's concern, or if this does not resolve the concern, assistance should be sought from a supervisor or manager who is a rank higher than the alleged transgressor.

314.5.2 FORMAL INVESTIGATION

If the complaint cannot be satisfactorily resolved through the supervisory resolution process, a formal investigation will be conducted.

The person assigned to investigate the complaint will have full authority to investigate all aspects of the complaint. Investigative authority includes access to records and the cooperation of any members involved. No influence will be used to suppress any complaint and no member will be subject to retaliation or reprisal for filing a complaint, encouraging others to file a complaint, or for offering testimony or evidence in an investigation.

Formal investigation of the complaint will be confidential to the extent possible and will include but is not limited to details of the specific incident, frequency and dates of occurrences, and names of any witnesses. Witnesses will be advised regarding the prohibition against retaliation, and that a disciplinary process, up to and including termination, may result if retaliation occurs.

Members who believe they have been discriminated against, harassed, or retaliated against because of their protected status are encouraged to follow the chain of command but may also file a complaint directly with the Chief of Police, the Director of Human Resources, or the Clerk.

314.5.3 ALTERNATIVE COMPLAINT PROCESS

No provision of this policy shall be construed to prevent any member from seeking legal redress outside the Department. Members who believe that they have been harassed, discriminated against, or retaliated against are entitled to bring complaints of employment discrimination to federal, state, and/or local agencies responsible for investigating such allegations. Specific time limitations apply to the filing of such charges. Members are advised that proceeding with complaints under the provisions of this policy does not in any way affect those filing requirements.

314.6 DOCUMENTATION OF COMPLAINTS

All complaints or allegations shall be thoroughly documented on the appropriate forms and in a manner designated by the Chief of Police. The outcome of all reports shall be:

- (a) Approved by the Chief of Police, the Clerk, or the Director of Human Resources, depending on the ranks of the involved parties.
- (b) Maintained in accordance with the established records retention schedule.

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314.6.1 NOTIFICATION OF DISPOSITION

The complainant and/or victim will be notified in writing of the disposition of the investigation and the actions taken to remedy or address the circumstances giving rise to the complaint.

314.7 TRAINING

All new members shall be provided with a copy of this policy as part of their orientation. The policy shall be reviewed with each new member. The member shall certify by signing the prescribed form that the member has been advised of this policy, is aware of and understands its contents, and agrees to abide by its provisions during the member's term with the Department.

All members shall receive annual training on the requirements of this policy and shall certify by signing the prescribed form that they have reviewed the policy, understand its contents, and agree that they will continue to abide by its provisions.

Missing Persons

315.1 PURPOSE AND SCOPE

This policy provides guidance for handling missing person investigations (I.C. § 5-2-17-1 et seq.).

315.1.1 DEFINITIONS

Definitions related to this policy include:

High risk - A person whose whereabouts are not known and who may be at risk of injury or death. High risk includes, but is not limited to, a missing person (I.C. § 5-2-17-1):

- (a) Who is missing as a result of abduction by a stranger.
- (b) Whose disappearance may be the result of the commission of a crime.
- (c) Whose disappearance occurred under circumstances that are inherently dangerous.
- (d) At risk due to abduction by a noncustodial parent.
- (e) Who is mentally impaired.
- (f) Under the age of 21.
- (g) Who has previously been the victim of a threat or act of violence.
- (h) Who has been determined by a law enforcement agency to be at risk for injury or death.

Missing person - Any person who is reported missing to law enforcement when that person's location is unknown.

Missing person networks - Databases or computer networks that are available to law enforcement and are suitable for obtaining information related to missing person investigations. This includes the National Crime Information Center (NCIC), the Indiana Data and Communication System (IDACS) and the Indiana Clearinghouse for Missing Children and Missing Endangered Adults (I.C. § 10-13-3-35).

315.2 POLICY

The West Lafayette Police Department does not consider any report of a missing person to be routine and assumes that the missing person is in need of immediate assistance until an investigation reveals otherwise. Priority shall be given to missing person cases over property-related cases. Members will initiate an investigation into all reports of missing persons, regardless of the length of time the person has been missing.

315.3 ACCEPTANCE OF REPORTS

Any member encountering an individual who wishes to report a missing person or runaway shall render assistance without delay. This can be accomplished by accepting the report via telephone, electronically or in-person and initiating the investigation. Those members who do not take such reports or who are unable to give immediate assistance shall promptly dispatch or alert a member who can take the report (I.C. § 5-2-17-4; I.C. § 5-2-17-5; I.C. § 12-10-18-1; I.C. § 31-36-1-1).

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A report shall be accepted in all cases and regardless of where the person was last seen, where the person resides or any question of jurisdiction.

If jurisdiction is in question, the officer shall advise the individual to also make a report to the law enforcement agency having jurisdiction where the missing person was last seen or, if that place is unknown, where the missing person resides (I.C. § 5-2-17-4).

315.4 INITIAL INVESTIGATION

Officers or other members conducting the initial investigation of a missing person should take the following investigative actions, as applicable:

- (a) Respond to a dispatched call as soon as practicable and begin the investigation (I.C. § 31-36-2-1; I.C. § 12-10-18-4).
- (b) Interview the reporting party and any witnesses to determine the description of the person and whether the person qualifies as a missing person and, if so, whether the person may be high risk (I.C. § 5-2-17-6(b)).
 - 1. If the missing person is under 18 years of age, provide the reporting party with the information pamphlet from the Indiana State Police (ISP) about the National Center for Missing and Exploited Children and the National Runaway Safeline (I.C. § 5-2-17-7; I.C. § 10-11-2-34).
- (c) Notify a supervisor immediately if there is evidence that a missing person is either high risk or may qualify for a public alert, or both (see the Public Alerts Policy).
- (d) Broadcast an alert if the person is high risk. This shall be immediately broadcast as required by I.C. § 5-2-17-10(d).
- (e) Ensure that entries are made into the appropriate missing person networks:
 - 1. Immediately, when the missing person is high risk (I.C. § 5-2-17-10(d)).
 - 2. In all other cases, as soon as practicable, recommended within two hours, but not later than five hours, from the time of the initial report (I.C. § 31-36-1-2; I.C. § 5-2-17-10(c)).
- (f) Complete the appropriate report forms accurately and completely as required (I.C. § 5-2-17-6; I.C. § 12-10-18-1; I.C. § 12-10-18-2; I.C. § 31-36-1-1; I.C. § 31-36-1-2).
- (g) Initiate a search as applicable under the facts.
- (h) Collect and/or review:
 - 1. A photograph and fingerprint card of the missing person, if available.
 - 2. A voluntarily provided biological sample of the missing person, if available (e.g., toothbrush, hairbrush).
 - 3. Any documents that may assist in the investigation, such as court orders regarding custody.
 - 4. Any other evidence that may assist in the investigation, including personal electronic devices (e.g., cell phones, computers).

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- (i) When circumstances permit and if appropriate, attempt to determine the missing person's location through the missing person's telecommunications carrier.
- (j) Contact the appropriate agency if the report relates to a missing person report previously made to another agency and that agency is actively investigating the report. When this is not practicable, the information should be documented in an appropriate report for transmission to the appropriate agency. If the information relates to a high-risk missing person, the member should notify a supervisor and proceed with reasonable steps to locate the missing person.
- (k) If the missing person qualifies for an AMBER Alert™ or a Silver Alert, contact the ISP as soon as practical (I.C. § 12-10-18-3).
- (l) As necessary, obtain the assistance of the appropriate response team, Child Abduction Response Team (CART) for missing abducted children, or other law enforcement agencies including the ISP (I.C. § 5-2-17-10(a)). Assistance can be obtained by contacting the appropriate agency to activate the response team.
- (m) As appropriate, the officer shall inform other law enforcement agencies of a high-risk missing person (I.C. § 5-2-17-10(b)).
- (n) If requested, inform the individual making the report, a family member of the missing person, and any other individual who may be helpful in locating the missing person of the following (I.C. § 5-2-17-7):
 - 1. The general procedure for handling missing person cases.
 - 2. The approach of the case, unless disclosure would adversely affect the investigation.
 - 3. That additional information may be required if the missing person is not promptly located or if additional information is discovered in the course of the investigation.
 - 4. Provide contact information for the NCMEC or the Americas Missing Adults, or other similar organizations and advise that those organizations may provide additional resources.

315.5 REPORT PROCEDURES AND ROUTING

Members should complete all missing person reports and forms promptly and advise the appropriate supervisor as soon as a missing person report is ready for review.

315.5.1 SUPERVISOR RESPONSIBILITIES

The responsibilities of the supervisor shall include but are not limited to:

- (a) Reviewing and approving missing person reports upon receipt.
 - 1. The reports should be promptly sent to the Records Division.
- (b) Ensuring resources are deployed as appropriate.
- (c) Initiating a command post as needed.
- (d) Ensuring applicable notifications and public alerts are made and documented.

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- (e) Ensuring that records have been entered into the appropriate missing person networks.
- (f) Taking reasonable steps to identify and address any jurisdictional issues to ensure cooperation among agencies.
 - 1. If the case falls within the jurisdiction of another agency, the supervisor should facilitate transfer of the case to the agency of jurisdiction.
- (g) Assessing new information that may make the person high risk (I.C. § 5-2-17-6(b)).
- (h) Making a determination to stop the investigation if the person is not missing or is voluntarily missing (I.C. § 5-2-17-6(c)).
 - 1. If the investigation is cancelled, ensure the investigative steps and results of the investigation are properly documented (I.C. § 5-2-17-6(d)).
 - 2. Ensure that the location of the missing person is not disclosed to others if the missing person requests confidentiality (I.C. § 5-2-17-6(e)).
- (i) Determining if a photograph of the missing person should be released to the public (I.C. § 5-2-17-9).
- (j) Making a determination regarding the release of information to other agencies, the media and the public (I.C. § 12-10-18-3).
- (k) Initiating a search of the area if applicable. Steps to initiate a search may include:
 - 1. Arrange for a search team of department members or volunteers
 - 2. Determine the locations to be searched
 - 3. Establish a search pattern
 - 4. Arrange for other resources as needed (e.g., divers, air support, canines)

315.5.2 CRIMINAL INVESTIGATIONS DIVISION RESPONSIBILITIES

Additional responsibilities of the Criminal Investigations Division

- (a) As soon as reasonable under the circumstances, notifying and forwarding a copy of the report to the agency of jurisdiction for the missing person's residence in cases where the missing person is a resident of another jurisdiction.
- (b) Notifying and forwarding a copy of the report to the agency of jurisdiction where the missing person was last seen.
- (c) Notifying and forwarding a copy of the report to the agency of jurisdiction for the missing person's intended or possible destination, if known.
- (d) Forwarding copies of a missing child report to all agencies as required by I.C. § 31-36-1-3.
- (e) Coordinating with the NCIC Terminal Contractor for Indiana to have the missing person record in the NCIC computer networks updated with additional information obtained from missing person investigations (42 USC § 5780).

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315.6 CRIMINAL INVESTIGATION FOLLOW-UP

In addition to completing or continuing any actions listed above, the investigator assigned to a missing person investigation:

- (a) Should ensure that the missing person's school, child care center or child home care is notified no later than 15 days after completion of the report if the missing person is a child less than 13 years of age (I.C. § 31-36-1-4).
 - 1. The notice shall be in writing and should also include a photograph.
 - 2. The investigator should meet with school officials as appropriate to stress the importance of including the notice in the child's student file, along with the investigator's contact information, if the school receives a call requesting the transfer of the missing child's files to another school (I.C. § 31-36-1-5).
- (b) Should recontact the reporting party and/or other witnesses within 30 days of the initial report and within 30 days thereafter to keep them informed, as appropriate, and to determine if any additional information has become available.
- (c) Should consider contacting other agencies involved in the case to determine if any additional information is available.
- (d) Shall verify and update IDACS, NCIC and any other applicable missing person networks within 30 days of the original entry into the networks and every 30 days thereafter until the missing person is located (34 USC § 41308).
- (e) Should continue to make reasonable efforts to locate the missing person and document these efforts at least every 30 days.
- (f) Shall maintain a close liaison with state and local child welfare systems and the National Center for Missing and Exploited Children (NCMEC) if the missing person is under the age of 21 and shall promptly notify NCMEC when the person is missing from a foster care family home or childcare institution (34 USC § 41308).
- (g) Should make appropriate inquiry with the Coroner.
- (h) Should obtain and forward medical records, dental records, photos, X-rays and biological samples, as applicable (I.C. § 5-2-17-8; I.C. § 31-36-2-3).
- (i) Shall attempt to obtain the most recent photograph for persons under 18 years of age if it has not been obtained previously and forward the photograph as appropriate and enter the photograph into applicable missing person networks (34 USC § 41308).
- (j) Should consider making appropriate entries and searches in the National Missing and Unidentified Persons System (NamUs).
- (k) Shall update the NCIC's Missing Person File if an arrest warrant is issued for a person who abducted or unlawfully retained a missing child (I.C. § 31-36-2-5).
- (l) Shall search the NCIC's Wanted Person File for reports of arrest warrants issued for persons who allegedly abducted or unlawfully retained children and compare these reports to the missing child's NCIC Missing Person File (I.C. § 31-36-2-2).
- (m) Shall update the investigation upon the discovery of new information and forward the information to the appropriate agencies and organizations (I.C. § 31-36-2-2).

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- (n) Shall report as soon as possible relevant information to the FBI's Violent Criminal Apprehension Program (ViCAP) (I.C. § 5-2-17-9).
- (o) In the case of a high-risk missing person or a person who has been missing for an extended time, should consult with a supervisor regarding seeking federal assistance from the FBI and the U.S. Marshals Service (28 USC § 566).

315.7 WHEN A MISSING PERSON IS FOUND

When any person reported missing is found, the assigned investigator shall document the location of the missing person in the appropriate report, notify the relatives and/or reporting party, as appropriate, and other involved agencies and refer the case for additional investigation if warranted. When a missing child is found, notification shall be promptly made to all involved agencies, and persons as provided in I.C. § 31-36-2-6.

The Captain of Investigations shall ensure that, upon receipt of information that a missing person has been located, the following occurs:

- (a) The missing child's school, child care center or child care home is promptly notified (I.C. § 31-36-2-6).
- (b) Entries are made in the applicable missing person networks.
- (c) Notification shall be made to any other law enforcement agency that took the initial report or participated in the investigation.

315.7.1 UNIDENTIFIED PERSONS

Members investigating a case of an unidentified person who is deceased or a living person who cannot assist in identifying him/herself should:

- (a) Obtain a complete description of the person.
- (b) Enter the unidentified person's description into the NCIC Unidentified Person File.
- (c) Use available resources, such as those related to missing persons, to identify the person.

315.8 CASE CLOSURE

The Criminal Investigation supervisor may authorize the closure of a missing person case after considering the following:

- (a) Closure is appropriate when the missing person is confirmed returned or evidence matches an unidentified person or body.
- (b) If the missing person is a resident of West Lafayette or this department is the lead agency, the case should be kept under active investigation for as long as the person may still be alive. Exhaustion of leads in the investigation should not be a reason for closing a case.

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- (c) If this department is not the lead agency, the case can be made inactive if all investigative leads have been exhausted, the lead agency has been notified and entries are made in the applicable missing person networks, as appropriate.
- (d) A missing person case should not be closed or reclassified because the person would have reached a certain age or adulthood or because the person is now the subject of a criminal or civil warrant.

315.9 THE DISPATCH CENTER RESPONSIBILITIES

Upon receiving a report of a missing person, the dispatcher is responsible for:

- (a) Determining the circumstances surrounding the missing person.
- (b) Obtaining basic facts, details, and a description of the missing person and abductor, if applicable.
- (c) Dispatching a member to begin an initial investigation.
- (d) Broadcasting relevant details to other members as applicable.
 - 1. Expand the notification to other jurisdictions as the need arises.
- (e) Obtaining other information or making notifications as requested by investigating members.

Public Alerts

316.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for alerting the public to important information and soliciting public aid when appropriate.

316.2 POLICY

Public alerts may be employed using the Emergency Alert System (EAS), local radio, television and press organizations and other groups to notify the public of incidents, or enlist the aid of the public, when the exchange of information may enhance the safety of the community. Various types of alerts may be available based upon each situation and the alert system's individual criteria.

316.3 RESPONSIBILITIES

316.3.1 MEMBER RESPONSIBILITIES

Members of the West Lafayette Police Department should notify their supervisors as soon as practicable upon learning of a situation where public notification, a warning or enlisting the help of the media and the public could assist in locating a missing person, apprehending a dangerous person or gathering information.

316.3.2 SUPERVISOR RESPONSIBILITIES

The Shift Commander is responsible for making the appropriate notifications based upon the circumstances of each situation. The supervisor shall promptly notify the appropriate division Captain when any public alert is generated.

The supervisor in charge of the investigation to which the alert relates is responsible for:

- (a) Updating alerts.
- (b) Canceling alerts.
- (c) Ensuring all appropriate reports are completed.

316.4 AMBER™ ALERTS

AMBER™ Alerts are used to provide a statewide system for the rapid dissemination of information regarding abducted children (I.C. § 10-13-5-1).

316.4.1 CRITERIA

The following criteria are utilized to determine if an AMBER™ Alert should be requested (I.C. § 10-13-5-4):

- (a) An officer has a reasonable belief that an abduction has occurred.
- (b) An officer believes that a child is in imminent danger of serious bodily injury or death.
- (c) Enough descriptive information exists about the victim and the abductor for this department to request that the superintendent of the Indiana State Police (ISP) issue an AMBER™ Alert.

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- (d) The victim of the abduction is a child less than 18 years of age.
- (e) The victim is a temporary or permanent resident of the state of Indiana.

316.4.2 PROCEDURE

The following procedures for initiating an AMBER™ Alert are used when a member of the West Lafayette Police Department receives a report from a parent or guardian that a child is missing:

- (a) Obtain approval to activate an Alert through shift command.
- (b) Activation of an Alert is processed through IDACS. The case officer shall provide all relevant information to the Dispatch Center for activation through IDACS.
 - 1. Contact can be made by calling the Fusion Center at 1-866-400-4432 for additional assistance
 - 2. Contact can be made with the Indiana Missing and Exploited Child and Adult Clearinghouse at 1-800-831-8953 for additional assistance.
- (c) The member receiving the information shall notify all on-duty officers of the existence of a missing child report.

316.5 BLUE ALERTS

Blue Alerts are used to provide a statewide system for the rapid dissemination of information regarding specific incidents relating to law enforcement officers (I.C. § 10-13-8-1).

316.5.1 CRITERIA

The following criteria are circumstances warranting a Blue Alert (I.C. § 10-13-8-8):

- (a) A law enforcement officer has been killed or seriously injured while in the line of duty.
- (b) The suspect has not been apprehended and may be a serious threat to the public or other law enforcement personnel.
- (c) Sufficient information is available to disseminate to the public that could assist in locating the suspect.
- (d) If a law enforcement officer is missing while in the line of duty, sufficient information is available to disseminate to the public that could assist in locating the law enforcement officer.

316.5.2 PROCEDURE

The following is the procedure for initiating a Blue Alert:

- (a) Obtain approval to activate an Alert through shift command.
- (b) Before requesting activation of the Blue Alert system this department shall verify the criteria for activating the Blue Alert System has been met (I.C. § 10-13-8-8).
- (c) Activation of an Alert is processed through IDACS. All relevant information shall be sent to the Dispatch Center for activation through the IDACS system.
 - 1. Contact can be made by calling the Fusion Center at 1-866-400-4432 for additional assistance

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2. Contact can be made with the Indiana Missing and Exploited Child and Adult Clearinghouse at 1-800-831-8953 for additional assistance.

316.6 SILVER ALERTS

Silver Alerts are used to provide a statewide system for the rapid dissemination of information regarding a missing endangered adult, missing endangered child, or high-risk missing person (I.C. § 10-13-5-4.6).

316.6.1 CRITERIA

A Silver Alert should be activated when:

- (a) An officer believes that a missing person meets the criteria for being a missing endangered adult, a missing endangered child, or a high-risk missing person (I.C. § 12-7-2-131.3; I.C. § 12-10-18-0.5; I.C. § 10-13-5-4.4; I.C. § 5-2-17-1).

316.6.2 PROCEDURE

The following is the procedure for initiating a Silver Alert when members of the West Lafayette Police Department receive information that a disabled adult or high-risk person is missing. The investigating officer (I.C. § 5-2-17-10; I.C. § 12-10-18-3):

- (a) Obtain approval to activate an Alert through shift command
- (b) Verify that the criteria for requesting a Silver Alert has been satisfied.
- (c) Activation of an Alert is processed through IDACS. The case officer shall provide all relevant information to the Dispatch Center for activation through the IDACS system.
 1. Contact can be made by calling the Fusion Center at 1-866-400-4432 for additional assistance.
 2. Contact can be made with the Indiana Missing and Exploited Child and Adult Clearinghouse at 1-800-831-8953 for additional assistance.

316.7 A CHILD IS MISSING ALERT

316.7.1 PURPOSE

To provide a guideline for the activation of the Child Is Missing System and the various types of uses the system has.

316.7.2 POLICY

It is the policy of this department to thoroughly investigate all cases of a missing person and to use all available resources to locate the missing.

316.7.3 CRITERIA

When to activate the "A Child Is Missing Alert System":

1. If a child has wandered off and you can't find parents.
2. Runaways when foul play is suspected.

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3. First time runaways/missing with/without foul play.
4. Stranger/Parental abductions.
5. Elderly wander off (with Alzheimer's or other medical needs).

Shift Command approval is required before activating any Alert system.

316.7.4 PROCEDURE

How to activate the "A Child Is Missing Alert System":

1. This system can be activated 24/7 365 days a year.
2. Call 1-888-875-2246 or 954-763-1288. Fax: 954-763-4569
3. Provide the operator with all necessary information.

Victim and Witness Assistance

317.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that crime victims and witnesses receive appropriate assistance, that they are provided with information from government and private resources, and that the agency meets all related legal mandates.

317.2 POLICY

The West Lafayette Police Department is committed to providing guidance and assistance to the victims and witnesses of crime. The members of the West Lafayette Police Department will show compassion and understanding for victims and witnesses and will make reasonable efforts to provide the support and information identified in this policy (Ind. Const. Art. 1 § 13(b)).

317.3 CRIME VICTIMS

Officers should provide all victims with the applicable victim information handouts.

Officers should never guarantee a victim's safety from future harm but may make practical safety suggestions to victims who express fear of future harm or retaliation. Officers should never guarantee that a person qualifies as a victim for the purpose of compensation or restitution but may direct him/her to the proper written department material or available victim resources.

Members should inform sexual assault victims of their rights and distribute state Sexual Assault Response Team pamphlets upon initial contact or as soon as practicable thereafter (I.C. § 35-40.5-5-1; I.C. § 35-40.5-7-1). The victim may opt for a relative or close friend to act as a representative to receive the information. Members should obtain a signature from the victim or representative confirming receipt of the state required documents.

317.4 WITNESSES

Officers should never guarantee a witness' safety from future harm or that his/her identity will always remain confidential. Officers may make practical safety suggestions to witnesses who express fear of future harm or retaliation.

Officers should investigate allegations of witness intimidation and take enforcement action when lawful and reasonable.

Bias Crimes

318.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of this department with guidelines for identifying and investigating incidents and crimes that may be motivated by hatred or other bias.

318.1.1 DEFINITIONS

Definitions related to this policy include:

Bias crime - A crime motivated by prejudice based on actual or perceived race, color, religion, national origin, ethnicity, gender, sexual orientation, gender identity or expression, or disability of the victim. This includes an offense based on actual or perceived creed or because the person or owner or occupant of an affected property was associated with any other recognizable group or affiliation (I.C. § 10-13-3-1).

318.2 POLICY

The West Lafayette Police Department recognizes and places a high priority on the rights of all individuals guaranteed under the state and federal constitution and incorporated in state and federal law.

318.3 PREVENTION AND PREPARATION

While it is recognized that not all crime can be prevented, this department is committed to taking a proactive approach to preventing and preparing for likely bias crimes by:

- (a) Making an affirmative effort to establish contact with persons and groups within the community who are likely targets of bias crimes, and forming networks that address prevention and response.
- (b) Providing victim assistance and community follow-up or identifying available resources.
- (c) Educating community and civic groups about bias crime laws.

318.4 INVESTIGATIONS

Whenever any member of this department receives a report of a suspected bias crime or other activity that reasonably appears to involve a potential bias crime, the following should occur:

- (a) Assigned officers should promptly contact the victim, witness or reporting party to investigate the matter further, as circumstances may dictate.
- (b) A supervisor should be notified of the circumstances as soon as practicable.
- (c) Once the in-progress aspect of any such situation has been stabilized (e.g., treatment of victims or arrest of suspects at the scene), the assigned officers should take reasonable steps to preserve evidence that establishes a possible bias crime.

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- (d) Based upon available information, officers should take appropriate action to mitigate further injury or damage to potential victims or the community.
- (e) Depending on the situation, the assigned officers or supervisor may request assistance from investigators or other resources.
- (f) The assigned officers should interview available witnesses, victims and others to determine what circumstances, if any, indicate that the situation may involve a bias crime.
- (g) The assigned officers should make reasonable efforts to assist the victim by providing available information on local assistance programs and organizations as required by the Victim and Witness Assistance Policy.
- (h) The assigned officers should include all available evidence indicating the likelihood of a bias crime in the relevant reports. All related reports should be clearly marked "bias Crime" to enable identification for federal hate crime reporting.
- (i) The assigned officers and supervisor should take reasonable steps to ensure that any such situation does not escalate further and should provide information to the victim regarding legal aid (e.g., a Petition for a Temporary Protective Order) through the courts or City Attorney.

318.4.1 CRIMINAL INVESTIGATION RESPONSIBILITIES

If a bias crime case is assigned to the Criminal Investigation, the assigned investigator will be responsible for:

- (a) Coordinating further investigation
- (b) Maintaining contact with the victim and other involved individuals, as needed.

Standards of Conduct

319.1 PURPOSE AND SCOPE

This policy establishes standards of conduct that are consistent with the values and mission of the West Lafayette Police Department and are expected of all department members. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions but they do identify many of the important matters concerning conduct. In addition to the provisions of this policy, members are subject to all other provisions contained in this manual, as well as any additional guidance on conduct that may be disseminated by this department or a member's supervisors.

319.2 POLICY

The continued employment or appointment of every member of this department shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on- or off-duty, may be cause for disciplinary action.

319.3 DIRECTIVES AND ORDERS

Members shall comply with lawful directives and orders from any department supervisor or person in a position of authority, absent a reasonable and bona fide justification.

319.3.1 UNLAWFUL OR CONFLICTING ORDERS

Supervisors shall not knowingly issue orders or directives that, if carried out, would result in a violation of any law or department policy. Supervisors should not issue orders that conflict with any previous order without making reasonable clarification that the new order is intended to countermand the earlier order.

No member is required to obey any order that appears to be in direct conflict with any federal law, state law or local ordinance. Following a known unlawful order is not a defense and does not relieve the member from criminal or civil prosecution or administrative discipline. If the legality of an order is in doubt, the affected member shall ask the issuing supervisor to clarify the order or shall confer with a higher authority. The responsibility for refusal to obey rests with the member, who shall subsequently be required to justify the refusal.

Unless it would jeopardize the safety of any individual, members who are presented with a lawful order that is in conflict with a previous lawful order, department policy or other directive shall respectfully inform the issuing supervisor of the conflict. The issuing supervisor is responsible for either resolving the conflict or clarifying that the lawful order is intended to countermand the previous lawful order or directive, in which case the member is obliged to comply. Members who are compelled to follow a conflicting lawful order after having given the issuing supervisor the opportunity to correct the conflict will not be held accountable for disobedience of the lawful order or directive that was initially issued.

The person countermanding the original order shall notify, in writing, the person issuing the original order, indicating the action taken and the reason.

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319.3.2 SUPERVISOR RESPONSIBILITIES

Supervisors and managers are required to follow all policies and procedures and may be subject to discipline for:

- (a) Failure to be reasonably aware of the performance of their subordinates or to provide appropriate guidance and control.
- (b) Failure to promptly and fully report any known misconduct of a member to his/her immediate supervisor or to document such misconduct appropriately or as required by policy.
- (c) Directing a subordinate to violate a policy or directive, acquiescing to such a violation, or exhibiting indifference to such a violation.
- (d) Exercising unequal or disparate authority toward any member for malicious or other improper purpose.

319.4 GENERAL STANDARDS

Members shall conduct themselves, whether on- or off-duty, in accordance with the United States and Indiana Constitutions and all applicable laws, ordinances and rules enacted or established pursuant to legal authority.

Members shall familiarize themselves with policies and procedures and are responsible for compliance with each. Members should seek clarification and guidance from supervisors in the event of any perceived ambiguity or uncertainty.

Many of the responsibilities with which Officers are empowered involve the rights of others and matters of physical safety. Police Officers have the authority to make decisions that may significantly restrict the freedom of movement of another person or may involve deadly force. Because of the magnitude of this authority, Officers shall consistently demonstrate the use of good judgment in both routine matters and emergency situations. Failure to use good judgment could result in the injury to self or others, loss of prosecution, loss of public trust, and create the potential for civil liability.

Discipline may be initiated for any good cause. It is not mandatory that a specific policy or rule violation be cited to sustain discipline. This policy is not intended to cover every possible type of misconduct.

319.5 CAUSES FOR DISCIPLINE

The following are illustrative of causes for disciplinary action. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for violation of other rules, standards, ethics and specific action or inaction that is detrimental to efficient department service.

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319.5.1 LAWS, RULES AND ORDERS

- (a) Violation of, or ordering or instructing a subordinate to violate, any policy, procedure, rule, order, directive or requirement, or failure to follow instructions, contained in department or City manuals.
- (b) Disobedience of any legal directive or order issued by any department member of a higher rank.
- (c) Violation of federal, state, local or administrative laws, rules or regulations.

319.5.2 ETHICS

- (a) Using or disclosing one's status as a member of the West Lafayette Police Department in any way that could reasonably be perceived as an attempt to gain influence or authority for non-department business or activity.
- (b) The wrongful or unlawful exercise of authority on the part of any member for malicious purpose, personal gain, willful deceit or any other improper purpose.
- (c) The receipt or acceptance of a reward, fee or gift from any person for service incident to the performance of the member's duties (lawful subpoena fees and authorized work permits excepted).
- (d) Acceptance of fees, gifts or money contrary to the rules of this department and/or laws of the state.
- (e) Offer or acceptance of a bribe or gratuity.
- (f) Misappropriation or misuse of public funds, property, personnel or services.
- (g) Any other failure to abide by the standards of ethical conduct.
- (h) No officer or employee of the department shall sign, endorse or agree to secure any note or other obligations to pay money on the part of any other fellow officer or employee.

319.5.3 DISCRIMINATION, OPPRESSION, OR FAVORITISM

Unless required by law or policy, discriminating against, oppressing, or providing favoritism to any person because of actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, economic status, cultural group, veteran status, marital status, and any other classification or status protected by law, or intentionally denying or impeding another in the exercise or enjoyment of any right, privilege, power, or immunity, knowing the conduct is unlawful.

319.5.4 RELATIONSHIPS

- (a) Unwelcome solicitation of a personal or sexual relationship while on-duty or through the use of one's official capacity.
- (b) Engaging in on-duty sexual activity including, but not limited to, sexual intercourse, excessive displays of public affection or other sexual contact.

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- (c) Establishing or maintaining an inappropriate personal or financial relationship, as a result of an investigation, with a known victim, witness, suspect or defendant while a case is being investigated or prosecuted, or as a direct result of any official contact.
- (d) Associating with or joining a criminal gang, organized crime and/or criminal syndicate when the member knows or reasonably should know of the criminal nature of the organization. This includes any organization involved in a definable criminal activity or enterprise, except as specifically directed and authorized by this department.
- (e) Associating on a personal, rather than official, basis with persons who demonstrate recurring involvement in serious violations of state or federal laws after the member knows, or reasonably should know of, such criminal activities, except as specifically directed and authorized by this department.

319.5.5 ATTENDANCE

- (a) Leaving the job to which the member is assigned during duty hours without reasonable excuse and proper permission and approval.
- (b) Unexcused or unauthorized absence or tardiness.
- (c) Excessive absenteeism or abuse of leave privileges.
- (d) Failure to report to work or to the place of assignment at the time specified and fully prepared to perform duties without reasonable excuse.

319.5.6 DUTY STATUS OF ALL OFFICERS

Each Officer of the Department shall be available for emergency duty upon call from the Department in all cases where emergencies are declared by the mayor. Each Officer shall also be available for special duty with the Department upon the call of the Chief. Failure or refusal to respond to a call to duty in such instances shall be considered neglect or disobedience of orders.

319.5.7 UNAUTHORIZED ACCESS, DISCLOSURE, OR USE

- (a) Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms, or reports obtained as a result of the member's position with this department.
- (b) Disclosing to any unauthorized person any active investigation information.
- (c) The use of any information, photograph, video, or other recording obtained or accessed as a result of employment or appointment to this department for personal or financial gain or without the express authorization of the Chief of Police or the authorized designee.
- (d) Loaning, selling, allowing unauthorized use, giving away, or appropriating any department property for personal use, personal gain, or any other improper or unauthorized use or purpose.
- (e) Using department resources in association with any portion of an independent civil action. These resources include but are not limited to personnel, vehicles, equipment, and non-subpoenaed records.

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319.5.8 EFFICIENCY

- (a) Neglect of duty.
- (b) Unsatisfactory work performance including but not limited to failure, incompetence, inefficiency, or delay in performing and/or carrying out proper orders, work assignments, or the instructions of supervisors without a reasonable and bona fide excuse.
- (c) Concealing, attempting to conceal, removing, or destroying defective or incompetent work.
- (d) Unauthorized sleeping during on-duty time or assignments.
- (e) Failure to notify the Department within 24 hours of any change in residence address or contact numbers.
- (f) Failure to notify the Human Resources Department of changes in relevant personal information (e.g., information associated with benefits determination) in a timely fashion.

319.5.9 PERFORMANCE

- (a) Failure to disclose or misrepresenting material facts, or making any false or misleading statement on any application, examination form, or other official document, report or form, or during the course of any workrelated investigation.
- (b) The falsification of any work-related records, making misleading entries or statements with the intent to deceive, or the willful and unauthorized removal, alteration, destruction and/or mutilation of any department record, public record, book, paper or document.
- (c) Failure to participate in investigations, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of any department-related business.
- (d) Officers and employees shall submit all oral, or written reports required by Policy, General Order, Special Order, Order or Rules of Conduct, or when requested to do so by the Chief on any official business with the Department.
- (e) Being untruthful or knowingly making false, misleading or malicious statements that are reasonably calculated to harm the reputation, authority or official standing of this department or its members.
- (f) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this department or subverts the good order, efficiency and discipline of this department or that would tend to discredit any of its members.
- (g) Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions:
 - 1. While on department premises.

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2. At any work site, while on duty or while in uniform, or while using any department equipment or system.
 3. Gambling activity undertaken as part of an officer's official duties and with the express knowledge and permission of a direct supervisor is exempt from this prohibition.
- (h) Improper political activity including:
1. Unauthorized attendance while on duty at official legislative or political sessions.
 2. Solicitations, speeches or distribution of campaign literature for or against any political candidate or position while on duty, on department property or while in any way representing him/herself as a member of this department, except as expressly authorized by City policy or the Chief of Police.
- (i) Engaging in political activities during assigned working hours except as expressly authorized by the Chief of Police.
- (j) Any act on- or off-duty that brings discredit to this department.

319.5.10 CONDUCT

- (a) Failure of any member to promptly and fully report activities on his/her part or the part of any other member where such activities resulted in contact with any other law enforcement agency or that may result in criminal prosecution or discipline under this policy.
- (b) Officers and employees shall be expected to report to the Chief any criminal violations of the City, State or Federal laws committed by a fellow officer or employee, and any violations of Policies or Rules of Conduct of the Department.
- (c) Unreasonable and unwarranted force to a person encountered or a person under arrest.
- (d) Exceeding lawful peace officer powers by unreasonable, unlawful or excessive conduct.
- (e) Unauthorized or unlawful fighting, threatening or attempting to inflict unlawful bodily harm on another.
- (f) Engaging in horseplay that reasonably could result in injury or property damage.
- (g) Discourteous, disrespectful or discriminatory treatment of any member of the public or any member of this department or the City.
- (h) Use of obscene, indecent, profane or derogatory language while on-duty or in uniform.
- (i) Criminal, dishonest or disgraceful conduct, whether on- or off-duty, that adversely affects the member's relationship with this department.
- (j) Unauthorized possession of, loss of or damage to department property or the property of others, or endangering it through carelessness or maliciousness.

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- (k) Attempted or actual theft of department property; misappropriation or misuse of public funds, property, personnel or the services or property of others; unauthorized removal or possession of department property or the property of another person.
- (l) Activity that is incompatible with a member's conditions of employment or appointment as established by law.
- (m) Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment or appointment without first notifying the Chief of Police of such action.
- (n) Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members.
- (o) All Officers and employees shall pay their personal bills and just debts promptly, and so maintain their personal credit as to avoid doing injury to the reputation of the department, or to themselves. Officers and employees shall avoid obligations of just debts that are beyond their ability to meet.
- (p) Officers and employees shall avoid conducting any personal business while on duty which may interfere with the performance of his/her police duties or civilian duties.

319.5.11 SAFETY

- (a) Failure to observe or violating department safety standards or safe working practices.
- (b) Failure to maintain current licenses or certifications required for the assignment or position (e.g., driver's license, first aid).
- (c) Failure to maintain good physical condition sufficient to adequately and safely perform law enforcement duties.
- (d) Unsafe firearm or other dangerous weapon handling. including loading or unloading firearms in an unsafe manner, either on- or off-duty.
- (e) Carrying, while on the premises of the work site, any firearm or other lethal weapon that is not authorized by the member's appointing authority.
- (f) Unsafe or improper driving habits or actions in the course of employment or appointment.
- (g) Any personal action contributing to a preventable traffic accident.
- (h) Concealing or knowingly failing to report any on-the-job or work-related accident or injury as soon as practicable but within 24 hours.

319.5.12 INTOXICANTS

- (a) Reporting for work or being at work while intoxicated or when the member's ability to perform assigned duties is impaired due to the use of alcohol, medication or drugs, whether legal, prescribed or illegal.
- (b) Possession or use of alcohol at any work site or while on-duty, except as authorized in the performance of an official assignment. A member who is authorized to consume

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alcohol is not permitted to do so to such a degree that it may impair on-duty performance.

- (c) Unauthorized possession, use of or attempting to bring a controlled substance, illegal drug or non-prescribed medication to any work site.
- (d) Officers and employees on duty, or officers and uniformed civilian personnel off duty in uniform may not enter any immediate premises where intoxicating liquors are sold and consumed, except in the immediate performance of specific police duty. This Rule of Conduct shall not forbid an officer or employee from eating in a restaurant or entering another establishment which is principally engaged in services or sale of goods other than intoxicating liquors, and providing that the officer or employee does not take a place at the bar, or is served at the bar.

319.6 STRIKE DUTY

Officers and employees assigned to any strike duty shall avoid any public expression, comment or statement regarding the issues, parties involved, other individuals, except as may be required to maintain public peace and order. Violations of this Rule of Conduct shall be considered conduct injurious to public peace and welfare.

319.7 RECOMMENDING WITHDRAWAL OF CHARGES, LENIENCY, OR SEVERE PENALTY

Officers and employees shall make no recommendations for withdrawal of any criminal charge previously filed against a defendant, nor make any recommendation for leniency or severe punishment to any court without the express permission from the Chief of Police.

319.8 RESIGNATIONS

Officers and employees desiring to resign from the Department shall submit such request in writing to the Chief of Police.

319.9 UNAUTHORIZED DECORATIONS, DRAWINGS, WRITTEN COMMENTS

The following order is in effect with regard to lockers, posters, or any officially posted materials within this department headquarters, substation, or on any of its equipment.

- A. No unauthorized drawings or written comments are to be placed on any bulletin boards, walls, lockers, posted departmental information, etc. Such acts constitute defacement of city property.
- B. Personalization of lockers shall be limited to the inside of the locker doors and those locker doors are to remain closed except when items are being placed in, or removed from them.

Information Technology Use

320.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the proper use of department information technology resources, including computers, electronic devices, hardware, software and systems.

320.1.1 DEFINITIONS

Definitions related to this policy include:

Computer system - All computers (on-site and portable), electronic devices, hardware, software, and resources owned, leased, rented or licensed by the West Lafayette Police Department that are provided for official use by its members. This includes all access to, and use of, Internet Service Providers (ISP) or other service providers provided by or through the Department or department funding.

Hardware - Includes, but is not limited to, computers, computer terminals, network equipment, electronic devices, telephones (including cellular and satellite), pagers, modems or any other tangible computer device generally understood to comprise hardware.

Software - Includes, but is not limited to, all computer programs, systems and applications, including shareware. This does not include files created by the individual user.

Temporary file, permanent file or file - Any electronic document, information or data residing or located, in whole or in part, on the system including, but not limited to, spreadsheets, calendar entries, appointments, tasks, notes, letters, reports, messages, photographs or videos.

320.2 POLICY

It is the policy of the West Lafayette Police Department that members shall use information technology resources, including computers, software and systems, that are issued or maintained by the Department in a professional manner and in accordance with this policy.

320.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails, texts or anything published, shared, transmitted or maintained through file-sharing software or any Internet site that is accessed, transmitted, received or reviewed on any department computer system.

The Department reserves the right to access, audit and disclose, for whatever reason, any message, including attachments, and any information accessed, transmitted, received or reviewed over any technology that is issued or maintained by the Department, including the department email system, computer network and/or any information placed into storage on any department system or device. This includes records of all key strokes or Web-browsing history made at any department computer or over any department network. The fact that access to a database, service or website requires a username or password will not create an expectation of privacy if it is accessed through department computers, electronic devices or networks.

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320.4 RESTRICTED USE

Members shall not access computers, devices, software or systems for which they have not received prior authorization or the required training. Members shall immediately report unauthorized access or use of computers, devices, software or systems by another member to their supervisors or Shift Supervisors.

Members shall not use another person's access passwords, logon information and other individual security data, protocols and procedures unless directed to do so by a supervisor.

320.4.1 SOFTWARE

Members shall not copy or duplicate any copyrighted or licensed software except for a single copy for backup purposes, in accordance with the software company's copyright and license agreement.

To reduce the risk of a computer virus or malicious software, members shall not install any unlicensed or unauthorized software on any department computer. Members shall not install personal copies of any software on any department computer.

When related to criminal investigations, software program files may be downloaded only with the approval of the information systems technology (IT) staff and with the authorization of the Chief of Police or the authorized designee.

No member shall knowingly make, acquire or use unauthorized copies of computer software that is not licensed to the Department while on department premises, computer systems or electronic devices. Such unauthorized use of software exposes the Department and involved members to severe civil and criminal penalties.

Introduction of software by members should only occur as a part of the automated maintenance or update process of department- or City-approved or installed programs by the original manufacturer, producer or developer of the software. Any other introduction of software requires prior authorization from IT staff and a full scan for malicious attachments.

320.4.2 HARDWARE

Access to technology resources provided by or through the Department shall be strictly limited to department-related activities. Data stored on or available through department computer systems shall only be accessed by authorized members who are engaged in an active investigation or assisting in an active investigation, or who otherwise have a legitimate law enforcement or department-related purpose to access such data. Any exceptions to this policy must be approved by a supervisor.

320.4.3 INTERNET USE

Internet access provided by or through the Department shall be strictly limited to department-related activities. Internet sites containing information that is not appropriate or applicable to department use and which shall not be intentionally accessed include, but are not limited to, adult forums, pornography, gambling, chat rooms, and similar or related Internet sites. Certain

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exceptions may be permitted with the express approval of a supervisor as a function of a member's assignment.

Downloaded information from the Internet shall be limited to messages, mail and data files.

320.5 PROTECTION OF SYSTEMS AND FILES

All members have a duty to protect the computer system and related systems and devices from physical and environmental damage and are responsible for the correct use, operation, care and maintenance of the computer system.

Members shall ensure department computers and access terminals are not viewable by persons who are not authorized users. Computers and terminals should be secured, users logged off and password protections enabled whenever the user is not present. Access passwords, logon information and other individual security data, protocols and procedures are confidential information and are not to be shared. Password length, format, structure and content shall meet the prescribed standards required by the computer system or as directed by a supervisor and shall be changed at intervals as directed by IT staff or a supervisor.

It is prohibited for a member to allow an unauthorized user to access the computer system at any time or for any reason. Members shall promptly report any unauthorized access to the computer system or suspected intrusion from outside sources (including the Internet) to a supervisor.

320.6 INSPECTION AND REVIEW

A supervisor or the authorized designee has the express authority to inspect or review the computer system, all temporary or permanent files, related electronic systems or devices, and any contents thereof, whether such inspection or review is in the ordinary course of his/her supervisory duties or based on cause.

Reasons for inspection or review may include, but are not limited to, computer system malfunctions, problems or general computer system failure, a lawsuit against the Department involving one of its members or a member's duties, an alleged or suspected violation of any department policy, a request for disclosure of data, or a need to perform or provide a service.

The IT staff may extract, download, or otherwise obtain any and all temporary or permanent files residing or located in or on the department computer system when requested by a supervisor or during the course of regular duties that require such information.

Department Use of Social Media

321.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that any use of social media on behalf of the Department is consistent with the department mission.

This policy does not address all aspects of social media use. Specifically, it does not address:

- Personal use of social media by department members (see the Speech, Expression and Social Networking Policy).
- Use of social media in personnel processes (see the Recruitment and Selection Policy).
- Use of social media as part of a criminal investigation, other than disseminating information to the public on behalf of this department (see the Investigation and Prosecution Policy).

321.1.1 DEFINITIONS

Definitions related to this policy include:

Social media - Any of a wide array of Internet-based tools and platforms that allow for the sharing of information, such as the department website or social networking services.

321.2 POLICY

The West Lafayette Police Department will use social media as a method of effectively informing the public about department services, issues, investigations, recruitment and other relevant events.

Department members shall ensure that the use or access of social media is done in a manner that protects the constitutional rights of all.

321.3 AUTHORIZED USERS

Only members authorized by the Chief of Police or the authorized designee may utilize social media on behalf of the Department.

The Chief of Police may develop specific guidelines identifying the type of content that may be posted. Any content that does not strictly conform to the guidelines should be approved by a supervisor prior to posting.

321.4 AUTHORIZED CONTENT

Only content that is appropriate for public release, that supports the department mission and conforms to all department policies regarding the release of information may be posted.

Examples of appropriate content include:

- (a) Announcements.
- (b) Tips and information related to crime prevention.

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- (c) Investigative requests for information.
- (d) Requests that ask the community to engage in projects that are relevant to the department mission.
- (e) Real-time safety information that is related to in-progress crimes, geographical warnings or disaster information.
- (f) Traffic information.
- (g) Media releases.
- (h) Recruitment of personnel.

321.5 PROHIBITED CONTENT

Content that is prohibited from posting includes, but is not limited to:

- (a) Content that is abusive, discriminatory, inflammatory or sexually explicit.
- (b) Any information that violates individual rights, including confidentiality and/or privacy rights and those provided under state, federal or local laws.
- (c) Any information that could compromise an ongoing investigation.
- (d) Any information that could tend to compromise or damage the mission, function, reputation or professionalism of the West Lafayette Police Department or its members.
- (e) Any information that could compromise the safety and security of department operations, members of the Department, victims, suspects or the public.
- (f) Any content posted for personal use.
- (g) Any content that has not been properly authorized by this policy or a supervisor.

Any member who becomes aware of content on this Department's social media site that he/she believes is unauthorized or inappropriate should promptly report such content to a supervisor. The supervisor will ensure its removal from public view and investigate the cause of the entry.

321.5.1 PUBLIC POSTING PROHIBITED

Department social media sites shall be designed and maintained to prevent posting of content by the public.

The Department may provide a method for members of the public to contact department members directly.

Report Preparation

322.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to those members of the Department who complete investigations and reports as a part of their duties.

322.2 POLICY

It is the policy of the West Lafayette Police Department that members shall act with promptness and efficiency in the preparation and processing of all reports. Reports shall document sufficient information to refresh the member's memory and shall provide enough detail for follow-up investigation and successful prosecution.

322.3 EXPEDITIOUS REPORTING

An incomplete report, unorganized reports or reports that are delayed without supervisory approval are not acceptable. Reports shall be processed according to established priorities or to a special priority made necessary under exceptional circumstances.

322.4 REPORT PREPARATION

Reports should be sufficiently detailed for their purpose and free from errors prior to submission and approval. It is the responsibility of the member to complete and submit all reports taken during the shift before going off-duty unless permission to hold the report has been approved by a supervisor. Generally, reports requiring prompt follow-up action on active leads or arrest reports where the suspect remains in custody should not be held.

All reports shall accurately reflect the identity of the persons involved; all pertinent information seen, heard or assimilated by any other sense; and any actions taken. Members shall not suppress, conceal or distort the facts of any reported incident, nor shall any member make a false report orally or in writing. Generally, the reporting member's opinions should not be included in reports unless specifically identified as such.

322.4.1 NAME BLOCK

As part of identifying all parties involved in any police action, officers shall obtain a full name block of each relevant person. A full name block will include, at minimum, the following:

- Full name (first, middle and last)
- Current local residential address
- Date of birth
- Social security number
- Telephone number
- Email address

The full name block of all relevant persons will be entered into RMS.

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Report Preparation

A complete BMV inquiry of each person will be attached to the CAD sheet.

322.5 REQUIRED REPORTING

In all of the following situations, members shall complete reports using the appropriate department-approved forms and reporting methods, unless otherwise approved by a supervisor.

The reporting requirements are not intended to be all-inclusive. A member may complete a report if he/she deems it necessary or as directed by a supervisor.

322.6 REVIEW AND CORRECTIONS

Supervisors shall review reports for content and accuracy. If a correction is necessary, the reviewing supervisor should complete a correction form stating the reasons for rejection.

The original report and the correction form should be returned to the reporting member for correction as soon as practicable. It shall be the responsibility of the originating member to ensure that any report returned for correction is processed in a timely manner.

322.6.1 CHANGES AND ALTERATIONS

Reports that have been approved by a supervisor and submitted to the Records Division for filing and distribution shall not be modified or altered except by way of a supplemental report.

Reviewed reports that have not yet been submitted to the Records Division may be corrected or modified by the authoring member only with the knowledge and authorization of the reviewing supervisor.

Media Relations

323.1 PURPOSE AND SCOPE

This policy provides guidelines for the release of official department information to the media. It also addresses coordinating media access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities.

323.2 POLICY

It is the policy of the West Lafayette Police Department to protect the privacy rights of individuals when releasing non-confidential information to the media regarding topics of public concern. Information that has the potential to negatively affect investigations will not be released.

323.3 RESPONSIBILITIES

The ultimate authority and responsibility for the release of information to the media shall remain with the Chief of Police. In situations not warranting immediate notice to the Chief of Police and in situations where the Chief of Police has given prior approval, Shift Commanders and designated Public Information Officers (PIOs) may prepare and release information to the media in accordance with this policy and applicable laws regarding confidentiality.

323.4 PROVIDING ADVANCE INFORMATION

To protect the safety and rights of department members and other persons, advance information about planned actions by law enforcement personnel, such as movement of persons in custody or the execution of an arrest or search warrant, should not be disclosed to the media, nor should media representatives be invited to be present at such actions except with the prior approval of the Chief of Police.

Any exceptions to the above should only be considered for the furtherance of legitimate law enforcement purposes. Prior to approving any exception, the Chief of Police will consider, at a minimum, whether the release of information or the presence of the media would unreasonably endanger any individual or prejudice the rights of any person or is otherwise prohibited by law.

323.5 MEDIA REQUESTS

Any media request for information or access to a law enforcement incident shall be referred to the PIO, or if unavailable, to the first available supervisor. Prior to releasing any information to the media, members shall consider the following:

- (a) At no time shall any member of this department make any comment or release any official information to the media without prior approval from a supervisor or the PIO.
- (b) In situations involving multiple agencies or government departments, every reasonable effort should be made to coordinate media releases with the authorized representative of each involved agency prior to the release of any information by this department.

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- (c) Under no circumstance should any member of this department make any comment to the media regarding any law enforcement incident not involving this department without prior approval of the Chief of Police. Under these circumstances the member should direct the media to the agency handling the incident.
- (d) Information concerning on-going major investigations will be given out to News Media or public only by the following:
 - a) Typed or emailed news release.
 - b) By the Chief of Police or his designee

323.6 ACCESS

Authorized media representatives shall be provided access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities as required by law.

Access by the media is subject to the following conditions:

- (a) The media representative shall produce valid media credentials that shall be prominently displayed at all times while in areas otherwise closed to the public.
- (b) Media representatives should be prevented from interfering and may be removed for interfering with emergency operations and criminal investigations.
 - 1. Based upon available resources, reasonable effort should be made to provide a safe staging area for the media that is near the incident and that will not interfere with emergency or criminal investigation operations. All information released to the media should be coordinated through the PIO or other designated spokesperson.
- (c) No member of this department who is under investigation shall be subjected to media visits or interviews without the consent of the involved member.

323.6.1 CRITICAL OPERATIONS

A critical incident or tactical operation should be handled in the same manner as a crime scene, except the media should not be permitted within the inner perimeter of the incident, subject to any restrictions as determined by the supervisor in charge. Department members shall not jeopardize a critical incident or tactical operation in order to accommodate the media. All comments to the media shall be coordinated through a supervisor or the PIO.

323.7 CONFIDENTIAL OR RESTRICTED INFORMATION

It shall be the responsibility of the PIO to ensure that confidential or restricted information is not inappropriately released to the media (see the Records Maintenance and Release and Personnel Records policies). When in doubt, authorized and available legal counsel should be consulted prior to releasing any information.

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323.7.1 EMPLOYEE INFORMATION

The identities of officers involved in shootings or other critical incidents may only be released to the media upon the approval of the Chief of Police.

Any requests for copies of related reports or additional information not contained in the information log (see the Information Log section in this policy) shall be referred to the PIO.

Requests should be reviewed and fulfilled by the Captain of Special Services. Such requests will be processed in accordance with the provisions of the Records Maintenance and Release Policy and the Indiana Public Records Act (I.C. § 5-14-3-1 et seq.).

323.8 RELEASE OF INFORMATION

The Department may routinely release information to the media without receiving a specific request. This may include media releases regarding critical incidents, information of public concern, updates regarding significant incidents or requests for public assistance in solving crimes or identifying suspects. This information may also be released through the department website or other electronic data sources.

323.8.1 INFORMATION LOG

The Department will maintain a daily information log of significant law enforcement activities. Log entries shall only contain information that is deemed public information and not restricted or confidential by this policy or applicable law. Upon request, the log entries shall be made available to media representatives through the Shift Supervisor.

The daily information log will generally include:

- (a) The date, time, location, case number, type of crime, extent of injury or loss, and names of individuals involved in crimes occurring within this jurisdiction, unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation, or the information is confidential (e.g., juveniles or certain victims).
- (b) The date, time, location, case number, name, and charges for each person arrested by this department, unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation, or the information is confidential (e.g., juveniles).
- (c) The time and location of other significant law enforcement activities or requests for service with a brief summary of the incident.
- (d) If News Media has already been in to review the Daily Bulletin, and telephone this department to verify information that was on the bulletin, officers shall assist with their inquiry.

323.9 TRAINING

Prior to releasing information to the public, any member designated to serve as the PIO should receive training relevant to the position.

Subpoenas and Court Appearances

324.1 PURPOSE AND SCOPE

This policy establishes the guidelines for department members who must appear in court. It will allow the West Lafayette Police Department to cover any related work absences and keep the Department informed about relevant legal matters.

324.2 POLICY

West Lafayette Police Department members will respond appropriately to all subpoenas and any other court-ordered appearances.

324.3 SUBPOENAS

Only department members authorized to receive a subpoena on behalf of this department or any of its members may do so.

324.3.1 TESTIMONY IN CIVIL MATTERS

Officers and employees shall not testify in civil matters based on fact coming into their possession in an official capacity, unless legally summoned to do so by a court, or body with power to summons.

324.3.2 SPECIAL NOTIFICATION REQUIREMENTS

Any member who is subpoenaed to testify, agrees to testify or provides information on behalf or at the request of any party other than the City Attorney or the prosecutor shall notify his/her immediate supervisor without delay regarding:

- (a) Any civil case where the City or one of its members, as a result of his/her official capacity, is a party.
- (b) Any civil case where any other city, county, state or federal unit of government or a member of any such unit of government, as a result of his/her official capacity, is a party.
- (c) Any criminal proceeding where the member is called to testify or provide information on behalf of the defense.
- (d) Any civil action stemming from the member's on-duty activity or because of his/her association with the West Lafayette Police Department.
- (e) Any personnel or disciplinary matter when called to testify or to provide information by a government entity other than the West Lafayette Police Department.

The supervisor will then notify the Chief of Police and the appropriate prosecuting attorney as may be indicated by the case. The Chief of Police should determine if additional legal support is necessary.

No member shall be retaliated against for testifying in any matter.

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Subpoenas and Court Appearances

324.3.3 CIVIL SUBPOENA

The Department will compensate members who appear in their official capacities on civil matters arising out of their official duties.

324.4 FAILURE TO APPEAR

Any member who fails to comply with the terms of any properly served subpoena or court-ordered appearance may be subject to discipline. This includes properly served orders to appear that were issued by a state administrative agency.

324.5 COURTROOM PROTOCOL

Members must be punctual when appearing in court and shall be prepared to proceed immediately with the case for which they are scheduled to appear.

Members of the Patrol Division shall dress in the department uniform for court appearances. Members not assigned to the Patrol Division shall dress in business attire for court appearances.

Members shall observe all rules of the court in which they are appearing and shall remain alert to changes in the assigned courtroom where their matter is to be heard

324.5.1 TESTIMONY

Before the date of testifying, the subpoenaed member shall request a copy of relevant reports and become familiar with the content in order to be prepared for court.

Outside Agency Assistance

325.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members when requesting or responding to a request for mutual aid or when assisting another law enforcement agency.

325.2 POLICY

It is the policy of the West Lafayette Police Department to promptly respond to requests for assistance by other law enforcement agencies, subject to available resources and consistent with the applicable laws and policies of this department.

325.3 ASSISTING OUTSIDE AGENCIES

Generally, requests for any type of assistance from another agency should be routed to the Shift Supervisor for approval.

When another law enforcement agency requests assistance from this department, the Shift Supervisor may authorize, if available, an appropriate number of personnel to assist. Members are reminded that their actions when rendering assistance must conform with applicable laws and be consistent with the policies of this department.

Officers may respond to a request for emergency assistance; however, they shall notify a supervisor of their activity as soon as practicable.

325.4 REQUESTING OUTSIDE ASSISTANCE

If assistance is needed from another agency, the member requesting assistance should, if practicable, first notify a supervisor. The handling member or supervisor should direct assisting personnel to where they are needed and to whom they should report when they arrive.

The requesting member should arrange for appropriate radio communication capabilities, if necessary and available, so that communication can be coordinated between assisting personnel.

325.4.1 INTERLOCAL MUTUAL AID

The West Lafayette Police Department may enter an interlocal mutual aid agreement with another law enforcement agency for the purpose of providing and receiving aid and assistance (I.C. § 36-1-7-3).

Officers responding to a request for interlocal assistance shall have the same powers and duties as the requesting agency's law enforcement officers during the duration of the request for assistance (I.C. § 36-1-7-7).

Officers responding to a request for assistance remain subject to the rules and regulations of the West Lafayette Police Department (I.C. § 36-1-7-7).

325.4.2 REQUESTING INTRASTATE MUTUAL AID

Requests for intrastate mutual aid assistance (I.C. § 10-14-3-10.8):

- (a) May be written or oral.

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1. An oral request shall be confirmed in writing not later than 72 hours after the oral request is made.
- (b) Must include:
 1. A description of the incident, disaster, exercise, training activity or planned event; the assistance or aid needed; and an estimate of the length of time that they will be needed.
 2. The location and time of staging and the name of the point of contact at the staging location.
 3. A statement that the request for mutual aid is made through the intrastate mutual aid program.

325.5 REPORTING REQUIREMENTS

Incidents of outside assistance or law enforcement activities that are not documented in a crime report shall be documented in a general case report or as directed by the Shift Supervisor.

Registered Sex Offender Verification

326.1 SEX OFFENDER ADDRESS VERIFICATION

326.1.1 PURPOSE

The purpose of the WLPD Registered Sex Offender Address Verification program is to ensure compliance by registered sex offenders in reporting their addresses to law enforcement. The law requires annual registration but provides for more frequent verification of the offender's address and other information. More frequent monitoring of the address information will also afford more contact between the offenders and law enforcement and provide more opportunities for intervention with an offender who is likely to re-offend.

326.1.2 POLICY

To check on registered sex offenders in West Lafayette on a minimum of monthly contact.

326.1.3 PROCEDURE

WLPD will complete the following tasks at least monthly:

An officer will have face to face contact with the registered sex offender, verify possession of an Indiana driver's license or ID card (required at all times).

1. The officer will verify the address and employment addresses and tell the sex offender that random monthly contact will be made with them.
2. If this is the first contact with the sex offender then the officer should check the type of area the address surrounds and the possible impact on re-offending.
3. The officer should ask the sex offender for the name and other identifiers of his/her victim to verify that the offender doesn't live within one mile of the victim.
4. Upon completing a contact with a sex offender wherein the address was verified, each officer will complete a computerized field contact card in the RMS system.
 - a) The information should include vehicle information, work hours, and any other pertinent information obtained.
5. If the offender has moved he/she only has 72 hours to register the new address with the Sheriff's Department.
 - a) If the officer is able to determine the offender has moved more than 72 hours prior or doesn't live at the registered address, the officer should initiate a case and notify the Sheriff's Department officer in charge of Sex Offender Registration.
6. If an officer observes any criminal violations he/she should take the appropriate action.

[See attachment: Sex Offender Check.pdf](#)

Death Investigation

327.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for situations where officers initially respond to and investigate the circumstances of a deceased person.

Some causes of death may not be readily apparent and some cases differ substantially from what they appear to be initially. The thoroughness of death investigations and use of appropriate resources and evidence-gathering techniques is critical.

327.2 POLICY

It is the policy of the West Lafayette Police Department to respond, document and investigate incidents where a person is deceased. Investigations involving the death of a person, including those from natural causes, accidents, workplace incidents, suicide and homicide, shall be initiated, investigated and properly documented.

327.3 INVESTIGATION CONSIDERATIONS

Emergency medical services and fire personell shall be called in all suspected death cases unless death is obvious (e.g., decapitated, decomposed).

A supervisor shall be notified as soon as possible to assist and provide appropriate personnel and resources. The Shift Commander should determine whether follow-up investigation is required and notify the Criminal Investigation Division Commander as necessary.

327.3.1 REPORTING

All incidents involving a death shall be documented in a case report and on the appropriate form.

327.3.2 CORONER REQUEST

Officers are not authorized to pronounce death unless they are also Coroners, Deputy Coroners or appointed Coroner investigators. The Coroner shall be called in all sudden or unexpected deaths or deaths due to other than natural causes. State law requires that the Coroner be notified when any person dies (I.C. § 35-45-19-3):

- (a) As a result of violence, suicide or accident.
- (b) Suddenly when in apparently good health.
- (c) While unattended.
- (d) From poisoning or an overdose of drugs.
- (e) As a result of a disease that may constitute a threat to public health.
- (f) As a result of a disease, an injury, a toxic effect or unusual exertion incurred within the scope of the deceased person's employment.
- (g) Due to sudden infant death syndrome.
- (h) As a result of a diagnostic or therapeutic procedure.

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- (i) Under any other suspicious or unusual circumstances.

327.3.3 SEARCHING DEAD BODIES

- (a) The Coroner, his/her assistant and authorized investigators are generally the only persons permitted to move, handle or search a dead body.
- (b) The Coroner may take property, objects or articles found on the deceased or in the immediate vicinity of the deceased that may be necessary for conducting an investigation to determine the identity of the deceased or the cause or manner of death.
- (c) Should exigent circumstances indicate to an officer that any other search of a known dead body is warranted prior to the arrival of the Coroner or his/her assistant, the investigating officer should first obtain verbal consent from the Coroner or his/her assistant when practicable.
- (d) Whenever reasonably possible, a witness, preferably a relative to the deceased or a member of the household, should be requested to remain nearby the scene and available to the officer pending the arrival of the Coroner or his/her assistant. The name and address of this person shall be included in the narrative of the death report.

327.3.4 SUSPECTED HOMICIDE

If the initially assigned officer suspects that the death involves a homicide or other suspicious circumstances, the officer shall take steps to protect the scene. The Criminal Investigation Commander shall be notified to determine the possible need for an investigator to respond to the scene.

If unable to determine the manner of death, the investigation shall proceed as though it is a homicide.

The investigator assigned to investigate a homicide or death that occurred under suspicious circumstances may, with the approval of his/her supervisor, request the Coroner to conduct physical examinations and tests, and to provide a report.

327.4 DEATH NOTIFICATION

Death notifications shall be handled by the Coroner's Office. The Coroner's Office may ask for assistance by this department in making such notification. Such request shall be made through the shift commander.

Limited English Proficiency Services

328.1 PURPOSE AND SCOPE

This policy provides guidance to members when communicating with individuals with limited English proficiency (LEP) (42 USC § 2000d).

328.1.1 DEFINITIONS

Definitions related to this policy include:

Authorized interpreter - A person who has been screened and authorized by the Department to act as an interpreter and/or translator for others.

Interpret or interpretation - The act of listening to a communication in one language (source language) and orally converting it to another language (target language), while retaining the same meaning.

Limited English proficiency (LEP) individual - Any individual whose primary language is not English and who has a limited ability to read, write, speak or understand English. These individuals may be competent in certain types of communication (e.g., speaking or understanding) but still exhibit LEP for other purposes (e.g., reading or writing). Similarly, LEP designations are context-specific; an individual may possess sufficient English language skills to function in one setting but these skills may be insufficient in other situations.

Qualified bilingual member - A member of the West Lafayette Police Department, designated by the Department, who has the ability to communicate fluently, directly and accurately in both English and another language. Bilingual members may be fluent enough to communicate in a non-English language but may not be sufficiently fluent to interpret or translate from one language into another.

Translate or translation - The replacement of written text from one language (source language) into an equivalent written text (target language).

328.2 POLICY

It is the policy of the West Lafayette Police Department to reasonably ensure that LEP individuals have meaningful access to law enforcement services, programs and activities, while not imposing undue burdens on its members.

The Department will not discriminate against or deny any individual access to services, rights or programs based upon national origin or any other protected interest or right.

328.3 QUALIFIED BILINGUAL MEMBERS

Bilingual members may be qualified to provide LEP services when they have demonstrated through established department procedures a sufficient level of skill and competence to fluently communicate in both English and a non-English language. Members utilized for LEP services must demonstrate knowledge of the functions of an interpreter/translator and the ethical issues involved when acting as a language conduit. Additionally, bilingual members must be able to

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communicate technical and law enforcement terminology, and be sufficiently proficient in the non-English language to perform complicated tasks, such as conducting interrogations, taking statements, collecting evidence or conveying rights or responsibilities.

When a qualified bilingual member from this department is not available, personnel from other City departments who have been identified by the Department as having the requisite skills and competence may be requested.

328.3.1 PURDUE UNIVERSITY

The West Lafayette Police Department has a long standing relationship with Purdue University and their bilingual resources. Should any member of this department need bilingual assistance outside of this department, they should contact the Purdue University Police Department as they maintain a contact list of qualified interpreters.

328.4 INVESTIGATIVE FIELD INTERVIEWS

In any situation where an interview may reveal information that could be used as the basis for arrest or prosecution of an LEP individual and a qualified bilingual member is unavailable or lacks the skills to directly communicate with the LEP individual, an authorized interpreter should be used. This includes interviews conducted during an investigation with victims, witnesses and suspects. In such situations, audio recordings of the interviews should be made when reasonably possible. Identification and contact information for the interpreter (e.g., name, address) should be documented so that the person can be subpoenaed for trial if necessary.

Any *Miranda* warnings shall be provided to suspects in their primary language by an authorized interpreter or, if the suspect is literate, by providing a translated *Miranda* warning card.

The use of an LEP individual's bilingual friends, family members, children, neighbors or bystanders may be used only when a qualified bilingual member or authorized interpreter is unavailable and there is an immediate need to interview an LEP individual.

328.5 CUSTODIAL INTERROGATIONS

Miscommunication during custodial interrogations may have a substantial impact on the evidence presented in a criminal prosecution. Only qualified bilingual members or, if none is available or appropriate, authorized interpreters shall be used during custodial interrogations. *Miranda* warnings shall be provided to suspects in their primary language by the qualified bilingual member or an authorized interpreter.

In order to ensure that translations during custodial interrogations are accurately documented and are admissible as evidence, interrogations should be recorded whenever reasonably possible. See guidance on recording custodial interrogations in the Investigation and Prosecution Policy.

Communications with Persons with Disabilities

329.1 PURPOSE AND SCOPE

This policy provides guidance to members when communicating with individuals with disabilities, including those who are deaf or hard of hearing, have impaired speech or vision, or are blind.

329.1.1 DEFINITIONS

Definitions related to this policy include:

Auxiliary aids - Tools used to communicate with people who have a disability or impairment. They include, but are not limited to, the use of gestures or visual aids to supplement oral communication; use of a notepad and pen or pencil to exchange written notes; use of a computer or typewriter; use of an assistive listening system or device to amplify sound; use of a teletypewriter (TTY) or videophones (video relay service or VRS); taped text; qualified readers; or use of a qualified interpreter.

Disability or impairment - An individual who has or is regarded as being substantially limited in a major life activity, including hearing or seeing, with or without assistance other than ordinary eyeglasses or contacts (42 USC § 12102). This includes a person who has a hearing loss that prevents the person from receiving and understanding voice communication with or without amplification and uses American Sign Language, English-based signed systems, tactile methods, writing, reading, speech reading, finger spelling or beneficial assistive devices as a primary means of communication (460 IAC 2-2.1-2).

Qualified interpreter - A person who is able to interpret effectively, accurately and impartially, both receptively and expressively, using any necessary specialized vocabulary. Qualified interpreters include oral interpreters, transliterators, sign language interpreters and intermediary interpreters. Qualified Interpreters should have a valid certification by the Department of Health and Human Services (460 IAC 2-3-3).

329.2 POLICY

It is the policy of the West Lafayette Police Department to reasonably ensure that people with disabilities, including victims, witnesses, suspects and arrestees, have equal access to law enforcement services, programs and activities. Members must make efforts to communicate effectively with individuals with disabilities.

The Department will not discriminate against or deny any individual access to services, rights or programs based upon disabilities.

329.3 FACTORS TO CONSIDER

Because the nature of any law enforcement contact may vary substantially from one situation to the next, members of this department should consider all information reasonably available to them when determining how to communicate with an individual with a disability. Members should carefully balance all known factors in an effort to reasonably ensure people who are disabled have equal access to services, programs and activities. These factors may include, but are not limited to:

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- (a) Members should not always assume that effective communication is being achieved. The fact that an individual appears to be nodding in agreement does not always mean he/she completely understands the message. When there is any doubt, members should ask the individual to communicate back or otherwise demonstrate his/her understanding.
- (b) The nature of the disability (e.g., deafness or blindness vs. hard of hearing or low vision).
- (c) The nature of the law enforcement contact (e.g., emergency vs. non-emergency, custodial vs. consensual contact).
- (d) The availability of auxiliary aids. The fact that a particular aid is not available does not eliminate the obligation to reasonably ensure access. However, in an emergency, availability may factor into the type of aid used.

329.4 INITIAL AND IMMEDIATE CONSIDERATIONS

Recognizing that various law enforcement encounters may be potentially volatile and/or emotionally charged, members should remain alert to the possibility of communication problems.

Members should exercise special care in the use of all gestures and verbal and written communication to minimize initial confusion and misunderstanding when dealing with any individual with known or suspected disabilities.

In a non-emergency situation, when a member knows or suspects an individual requires assistance to effectively communicate, the member shall identify the individual's choice of auxiliary aid or service.

The individual's preferred communication method must be honored unless another effective method of communication exists under the circumstances (28 CFR 35.160).

Factors to consider when determining whether an alternative method is effective include:

- (a) The methods of communication usually used by the individual.
- (b) The nature, length and complexity of the communication involved.
- (c) The context of the communication.

In emergency situations involving an imminent threat to the safety or welfare of any person, members may use whatever auxiliary aids and services reasonably appear effective under the circumstances. This may include, for example, exchanging written notes or using the services of a person who knows sign language but is not a qualified interpreter, even if the person who is deaf or hard of hearing would prefer a qualified sign language interpreter or another appropriate auxiliary aid or service. Once the emergency has ended, the continued method of communication should be reconsidered. The member should inquire as to the individual's preference and give primary consideration to that preference.

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If an individual who is deaf, is hard of hearing or has impaired speech must be handcuffed while in the custody of the West Lafayette Police Department, consideration should be given, safety permitting, to placing the handcuffs in the front of the body to facilitate communication using sign language or writing.

329.5 TYPES OF ASSISTANCE AVAILABLE

West Lafayette Police Department members shall never refuse an available service to an individual with disabilities who is requesting assistance. The Department will not charge anyone to receive auxiliary aids, nor shall it require anyone to furnish their own auxiliary aid or service as a condition for receiving assistance. The Department will make every reasonable effort to provide equal access and timely assistance to disabled individuals through a variety of services.

Disabled individuals may choose to accept department-provided auxiliary aids or services or they may choose to provide their own.

Department-provided auxiliary aids or services may include, but are not limited to, the assistance methods described in this policy.

329.5.1 PURDUE UNIVERSITY

The West Lafayette Police Department has a long standing relationship with Purdue University and their hearing impaired resources. Should any member of this department need hearing impaired assistance outside of this department, they should contact the Purdue University Police Department as they maintain a contact list of qualified interpreters.

329.6 QUALIFIED INTERPRETERS

A qualified interpreter may be needed in lengthy or complex transactions (e.g., interviewing a victim, witness, suspect or arrestee) if the individual to be interviewed normally relies on sign language or speechreading (lip-reading) to understand what others are saying. The qualified interpreter should not be a person with an interest in the case or the investigation. A person providing interpretation services may be required to establish the accuracy and trustworthiness of the interpretation in a court proceeding.

Qualified interpreters should be:

- (a) Available within a reasonable amount of time but in no event longer than one hour if requested.
- (b) Experienced in providing interpretation services related to law enforcement matters.
- (c) Familiar with the use of VRS and/or video remote interpreting services.
- (d) Certified in either American Sign Language (ASL) or Signed English (SE).
- (e) Able to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.
- (f) Knowledgeable of the ethical issues involved when providing interpreter services.

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Members should use department-approved procedures to request a qualified interpreter at the earliest reasonable opportunity, and generally not more than 15 minutes after a request for an interpreter has been made or it is reasonably apparent that an interpreter is needed. No individual who is disabled shall be required to provide his/her own interpreter (28 CFR 35.160).

329.7 TTY AND RELAY SERVICES

In situations where an individual without a disability would have access to a telephone (e.g., booking or attorney contacts), members must also provide those who are deaf, are hard of hearing or have impaired speech the opportunity to place calls using an available TTY (also known as a telecommunications device for deaf people, or TDD). Members shall provide additional time, as needed, for effective communication due to the slower nature of TTY and TDD communications.

The Department will accept all TTY or TDD calls placed by those who are deaf or hard of hearing and received via a telecommunications relay service (28 CFR 35.162).

Note that relay services translate verbatim, so the conversation must be conducted as if speaking directly to the caller.

329.8 FAMILY AND FRIENDS

While family or friends may offer to assist with interpretation, members should carefully consider the circumstances before relying on such individuals. The nature of the contact and relationship between the individual with the disability and the person offering services must be carefully considered (e.g., victim/suspect).

Children shall not be relied upon except in emergency or critical situations when there is no qualified interpreter reasonably available.

Adults may be relied upon when (28 CFR 35.160):

- (a) There is an emergency or critical situation and there is no qualified interpreter reasonably available.
- (b) The person with the disability requests that the adult interpret or facilitate communication and the adult agrees to provide such assistance, and reliance on that adult for such assistance is reasonable under the circumstances.

329.9 REPORTING

Whenever any member of this department is required to complete a report or other documentation, and communication assistance has been provided, such services should be noted in the related report. Members should document the type of communication services utilized and whether the individual elected to use services provided by the Department or some other identified source. If the individual's express preference is not honored, the member must document why another method of communication was used.

All written communications exchanged in a criminal case shall be attached to the report or placed into evidence.

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329.10 FIELD ENFORCEMENT

Field enforcement will generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control and other routine field contacts that may involve individuals with disabilities. The scope and nature of these activities and contacts will inevitably vary.

The Department recognizes that it would be virtually impossible to provide immediate access to complete communication services to every member of this department. Members and/or supervisors must assess each situation and consider the length, complexity and importance of the communication, as well as the individual's preferred method of communication, when determining the type of resources to use and whether a qualified interpreter is needed.

Although not every situation can be addressed in this policy, it is important that members are able to effectively communicate the reason for a contact, the need for information and the meaning or consequences of any enforcement action. For example, it would be meaningless to verbally request consent to search if the officer is unable to effectively communicate with an individual who is deaf or hard of hearing and requires communications assistance.

If available, officers should obtain the assistance of a qualified interpreter before placing an individual with a disability under arrest. Individuals who are arrested and are assisted by service animals should be permitted to make arrangements for the care of such animals prior to transport.

329.10.1 FIELD RESOURCES

Examples of methods that may be sufficient for transactions, such as checking a license or giving directions to a location or for urgent situations such as responding to a violent crime in progress, may, depending on the circumstances, include such simple things as:

- (a) Hand gestures or visual aids with an individual who is deaf, is hard of hearing or has impaired speech.
- (b) Exchange of written notes or communications.
- (c) Verbal communication with an individual who can speechread by facing the individual and speaking slowly and clearly.
- (d) Use of computer, word processing, personal communication device or similar device to exchange texts or notes.
- (e) Slowly and clearly speaking or reading simple terms to individuals who have a visual or mental impairment.

Members should be aware that these techniques may not provide effective communication as required by law and this policy depending on the circumstances.

329.11 CUSTODIAL INTERROGATIONS

In an effort to ensure that the rights of individuals who are deaf, are hard of hearing or have speech impairment are protected during a custodial interrogation, this department will provide interpreter services before beginning an interrogation, unless exigent circumstances exist or the

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individual has made a clear indication that he/she understands the process and desires to proceed without an interpreter. The use of a video remote interpreting service should be considered, where appropriate, if a live interpreter is not available. *Miranda* warnings shall be provided to suspects who are deaf or hard of hearing by a qualified interpreter or by providing a written *Miranda* warning card.

In order to ensure that communications during custodial investigations are accurately documented and are admissible as evidence, interrogations should be recorded whenever reasonably possible. See guidance on recording custodial interrogations in the Investigation and Prosecution Policy.

329.12 ARRESTS AND BOOKINGS

If an individual with speech or hearing disabilities is arrested, the arresting officer shall use department-approved procedures to provide a qualified interpreter at the place of arrest or booking as soon as reasonably practicable, unless the individual indicates that he/she prefers a different auxiliary aid or service or the officer reasonably determines another effective method of communication exists under the circumstances.

When gathering information during the booking process, members should remain alert to the impediments that often exist when communicating with those who are deaf, are hard of hearing, have impaired speech or vision, are blind or have other disabilities. In the interest of the arrestee's health and welfare, to protect the safety and security of the facility and to protect individual rights, it is important that accurate medical screening and booking information be obtained. If necessary, members should seek the assistance of a qualified interpreter whenever there is concern that accurate information cannot be obtained or that booking instructions may not be properly understood by the individual.

Individuals who require and possess personally owned communication aids (e.g., hearing aids, cochlear processors) should be permitted to retain them while in custody.

329.13 COMPLAINTS

The Department shall ensure that individuals with disabilities who wish to file a complaint regarding members of this department are able to do so. The Department may provide a qualified interpreter or forms in enlarged print, as appropriate. Complaints will be referred to the ADA coordinator.

Investigations into such complaints shall be handled in accordance with the Personnel Complaints Policy. Qualified interpreters used during the investigation of a complaint should not be members of this department.

329.14 TRAINING

To ensure that all members who may have contact with disabled individuals are properly trained, the Department will provide periodic training that should include:

- (a) Awareness and understanding of this policy and related procedures, related forms and available resources.
- (b) Procedures for accessing qualified interpreters and other available resources.

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- (c) Working with in-person and telephone interpreters and related equipment.

The Training Officer shall be responsible for ensuring new members receive training related to interacting with individuals who have disabilities, including those who are deaf, are hard of hearing, have impaired speech or vision or are blind. Those who may have contact with such individuals should receive refresher training at least once every two years thereafter. The Training Officer shall maintain records of all training provided and will retain a copy in each member's training file in accordance with the established records retention schedule.

329.14.1 CALL-TAKER TRAINING

Emergency call-takers shall be trained in the use of TTY equipment protocols for communicating with individuals who are deaf, are hard of hearing or have speech impairments. Such training and information should include:

- (a) The requirements of the ADA and Section 504 of the Rehabilitation Act for telephone emergency service providers.
- (b) ASL syntax and accepted abbreviations.
- (c) Practical instruction on identifying and processing TTY or TDD calls, including the importance of recognizing silent TTY or TDD calls, and using proper syntax, abbreviations and protocol when responding to TTY or TDD calls.
- (d) Hands-on experience in TTY and TDD communications, including identification of TTY or TDD tones.

Training should be mandatory for all the Dispatch Center members who may have contact with individuals from the public who are deaf, are hard of hearing or have impaired speech. Refresher training should occur every six months.

Chaplains

330.1 PURPOSE AND SCOPE

Department Chaplains will be available to render ethical and moral support to each employee as well as to assist departmental personnel in their service to the citizens of the community.

This policy establishes the guidelines for West Lafayette Police Department chaplains to provide counseling or emotional support to members of the Department, their families and members of the public.

330.2 POLICY

The West Lafayette Police Department shall ensure that department chaplains are properly appointed, trained and supervised to carry out their responsibilities without financial compensation. The Chaplain is a volunteer position with no compensation and appointed by the Chief of Police.

330.3 SELECTION

- A. Must submit to a detailed background investigation.
- B. Be an ecclesiastically certified person in good standing and endorsed for the law enforcement chaplaincy by the recognized religious body. (S)he should have five (5) years experience in ministry.
- C. Shows a God-like compassion, understanding and love for others and relates easily to people.
- D. Maintains high spiritual and moral standards.
- E. Is willing to be carefully screened by a local law enforcement chaplaincy committee and/or appointed authorities.
- F. Is willing and available to respond to any and all situations where a chaplain's presence is indicated.
- G. Manifests a broad base of experience and professional ministry, emotional stability, and personal flexibility.
- H. Be tactful and considerate in approaching all people regardless of race, sex, creed or religion.
- I. Be willing to become involved in training programs that enhance his/her efficiency in meeting and dealing with people in crisis. A chaplain should be familiar with community medical, psychiatric and other helping resources in the local area.
- J. Must never have been convicted of a criminal offense or offenses involving moral turpitude.
- K. Must possess a valid driver's license issued by the state.

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Chaplains

330.4 IDENTIFICATION

As representatives of the Department, chaplains are responsible for presenting a professional image to the community. Chaplains shall dress appropriately for the conditions and performance of their duties. officers.

Chaplains will be issued West Lafayette Police Department identification cards, which must be carried at all times while on-duty. The identification cards will be the standard West Lafayette Police Department identification cards, with the exception that "Chaplain" will be indicated on the cards.

Chaplains shall conform to all uniform regulations and appearance standards of this department.

330.5 DUTIES AND RESPONSIBILITIES

The departmental Chaplain is a recognized member of the clergy with the primary goal of serving as a resource for encouragement, moral direction, strength, and assistance to all departmental employees and their families. The responses of the Chaplain will be predicated on this premise.

B. The following examples are situations to which Chaplains should be available to respond to assist departmental personnel if requested:

1. Any serious injury to departmental personnel.
2. Death of any departmental personnel.
3. Any police-action shooting.
4. All fatality or possible-fatality accidents, to make official notification to relatives.
5. All homicides, suicides, sudden natural deaths, and drowning cases, especially when notifications need to be made to relatives.
6. Hostages or barricaded person incidents when the Chaplain can assist with family members.
7. Any situation where it is felt the help of a Chaplain would be of assistance to the officer or the investigator.
8. To render ethical and moral support to officers as well as family members.
9. To render counseling to officers upon request.
10. Any other critical incident.

330.5.1 CONDUCT

The Chaplain will be available and sensitive to the needs of all departmental employees and their families.

The Chaplain will conduct him/herself as a professional member of the department.

The Chaplain must strictly observe and respect the "Privileged Communications Doctrine" established between Chaplain and employee.

The Chaplain must refrain from interfering with departmental policies and procedures.

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Chaplains

330.6 NOTIFICATION GUIDELINES

In cases of employee death or hospitalization due to serious injury, the Chaplain should be available to assist with:

1. arranging a prompt and personal notification to the employee's immediate family using the following guidelines:

- a) Be prepared to summon medical personnel should it become necessary during the notification.
- b) Seek permission to enter the house. Never make a death notification on the doorstep. Gather everyone in the home and ask them to sit down. Inform them slowly and clearly of the information you have on the incident. Make sure you use the employee's name during the notification.
- c) If the employee has already died, relay that information. Never give the family a false sense of hope. Use words like "died" and "dead" rather than "gone away" or "passed away".
- d) If specifics of the incident are known, the officer should relay as much information as possible to the family.
- e) If the family wants to go to the hospital they should be transported by departmental personnel. It is highly recommended that the family not drive themselves to the hospital. Should there be serious resistance and the family insists on driving, have an officer accompany them in their vehicle.
- f) The survivors may wish to leave the young children at home. The department should be prepared to handle immediate baby-sitting needs. Co-workers, spouses, or Victim Assistance may be used to fulfill emergency baby-sitting needs.
- g) If the family is going to the hospital, the notifying official must notify the Communications Center immediately. The Communications Center will then contact the officer in charge at the hospital that the family is on its way.
- h) Surviving parents of the employee should be given the courtesy of a personal notification if they live in the same geographic area. If the parents of the employee are out of town, request a personal notification from the law enforcement agency in the area in which the family lives.

2. Confirm notification with the Communications Center.

3. Notify a representative of the faith of the family's choice.

4. Officer assistance in making funeral arrangements.

Public Safety Video Surveillance System

331.1 PURPOSE AND SCOPE

This policy provides guidance for the placement and monitoring of department public safety video surveillance, as well as the storage and release of the captured images. This policy only applies to overt, marked public safety video surveillance systems operated by the Department.

331.2 POLICY

The West Lafayette Police Department operates a public safety video surveillance system to complement its anti-crime strategy, to effectively allocate and deploy personnel, and to enhance public safety and security in public areas. Cameras may be placed in strategic locations throughout the City to detect and deter crime, to help safeguard against potential threats to the public, to help manage emergency response situations during natural and man-made disasters and to assist City officials in providing services to the community.

Video surveillance in public areas will be conducted in a legal and ethical manner while recognizing and protecting constitutional standards of privacy.

331.3 OPERATIONAL GUIDELINES

Only department-approved video surveillance equipment shall be utilized. Members authorized to monitor video surveillance equipment should only monitor public areas and public activities where no reasonable expectation of privacy exists. The Chief of Police or the authorized designee shall approve all proposed locations for the use of video surveillance technology and should consult with and be guided by legal counsel as necessary in making such determinations.

331.3.1 PLACEMENT AND MONITORING

Camera placement will be guided by the underlying purpose or strategy associated with the overall video surveillance plan. Environmental factors, including lighting, location of buildings, presence of vegetation or other obstructions, should also be evaluated when determining placement.

Cameras shall only record video images and not sound. Recorded images may be used for a variety of purposes, including criminal investigations and monitoring of activity around high-value or high-threat areas. The public safety video surveillance system may be useful for the following purposes:

- (a) To prevent, deter and identify criminal activity.
- (b) To target identified areas of gang and narcotics complaints or activity.
- (c) To respond to critical incidents.
- (d) To assist in identifying, apprehending and prosecuting offenders.
- (e) To document officer and offender conduct during interactions to safeguard the rights of the public and officers.
- (f) To augment resources in a cost-effective manner.

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Public Safety Video Surveillance System

- (g) To monitor pedestrian and vehicle traffic activity.

Images from each camera should be recorded in a manner consistent with the underlying purpose of the particular camera.

The Chief of Police may authorize video feeds from the public safety video surveillance system to be forwarded to a specified location for monitoring by other than police personnel, such as allied government agencies, road or traffic crews or fire or emergency operations personnel.

Unauthorized recording, viewing, reproduction, dissemination or retention is prohibited.

331.3.2 CAMERA MARKINGS

All public areas monitored by public safety surveillance equipment shall be marked in a conspicuous manner with appropriate signs to inform the public that the area is under police surveillance.

331.4 PROHIBITED ACTIVITY

Public safety video surveillance systems will not intentionally be used to invade the privacy of individuals or observe areas where a reasonable expectation of privacy exists.

Public safety video surveillance equipment shall not be used in an unequal or discriminatory manner and shall not target protected individual characteristics including, but not limited to race, ethnicity, national origin, religion, disability, gender or sexual orientation.

Video surveillance equipment shall not be used to harass, intimidate or discriminate against any individual or group.

331.5 STORAGE AND RETENTION OF MEDIA

All downloaded media shall be stored in a secure area with access restricted to authorized persons. A recording needed as evidence shall be copied to a suitable medium and booked into evidence in accordance with established evidence procedures. All actions taken with respect to retention of media shall be appropriately documented.

The type of video surveillance technology employed and the manner in which recordings are used and stored will affect retention periods. The recordings should be stored and retained in accordance with the established records retention schedule.

331.5.1 EVIDENTIARY INTEGRITY

All downloaded and retained media shall be treated in the same manner as other evidence. Media shall be accessed, maintained, stored and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, digital masking of innocent or uninvolved individuals to preserve anonymity, authenticity certificates and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.

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331.6 RELEASE OF VIDEO IMAGES

All recorded video images gathered by the public safety video surveillance equipment are for the official use of the West Lafayette Police Department.

Requests for recorded video images from the public or the media shall be processed in the same manner as requests for department public records.

Requests for recorded images from other law enforcement agencies shall be referred to the Shift Supervisor for release in accordance with a specific and legitimate law enforcement purpose.

Recorded video images that are the subject of a court order or subpoena shall be processed in accordance with the established department subpoena process.

Child and Dependent Adult Safety

332.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that children and dependent adults are not left without appropriate care in the event their caregiver or guardian is arrested or otherwise prevented from providing care due to actions taken by members of this department.

This policy does not address the actions to be taken during the course of a child abuse or dependent adult investigation. These are covered in the Child Abuse and Adult Abuse policies.

332.2 POLICY

It is the policy of this department to mitigate, to the extent reasonably possible, the stressful experience individuals may have when their parent or caregiver is arrested. The West Lafayette Police Department will endeavor to create a strong, cooperative relationship with local, state and community-based social services to ensure an effective, collaborative response that addresses the needs of those affected, including call-out availability and follow-up responsibilities.

332.3 PROCEDURES DURING AN ARREST

When encountering an arrest or prolonged detention situation, officers should make reasonable attempts to determine if the arrestee is responsible for children or dependent adults. In some cases this may be obvious, such as when children or dependent adults are present. However, officers should inquire if the arrestee has caregiver responsibilities for any children or dependent adults who are without appropriate supervision. The following steps should be taken:

- (a) Inquire about and confirm the location of any children or dependent adults.
- (b) Look for evidence of children and dependent adults. Officers should be mindful that some arrestees may conceal the fact that they have a dependent for fear the individual may be taken from them.
- (c) Consider inquiring of witnesses, neighbors, friends and relatives of the arrestee as to whether the person is responsible for a child or dependent adult.

Whenever reasonably possible, officers should consider reasonable alternatives to arresting a parent, guardian or caregiver in the presence of his/her child or dependent adult.

Whenever it is safe to do so, officers should allow the parent or caregiver to assure children or dependent adults that they will be provided care. If this is not safe or if the demeanor of the parent or caregiver suggests this conversation would be nonproductive, the officer at the scene should explain the reason for the arrest in age-appropriate language and offer reassurance to the child or dependent adult that he/she will receive appropriate care.

332.3.1 AFTER AN ARREST

Whenever an arrest is made, the officer should take all reasonable steps to ensure the safety of the arrestee's disclosed or discovered children or dependent adults.

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Child and Dependent Adult Safety

Officers should allow the arrestee reasonable time to arrange for care of children and dependent adults. Temporary placement with family or friends may be appropriate. However, any decision should give priority to a care solution that is in the best interest of the child or dependent adult. In such cases the following guidelines should be followed:

- (a) Allow the person reasonable time to arrange for the care of children and dependent adults with a responsible party, as appropriate.
 - 1. Officers should consider allowing the person to use his/her cell phone to facilitate arrangements through access to contact phone numbers, and to lessen the likelihood of call screening by the recipients due to calls from unknown sources.
- (b) Unless there is evidence that it would not be in the dependent person's best interest (e.g., signs of abuse, drug use, unsafe environment), officers should respect the parent or caregiver's judgment regarding arrangements for care. It is generally best if the child or dependent adult remains with relatives or family friends that he/she knows and trusts because familiarity with surroundings and consideration for comfort, emotional state and safety are important.
 - 1. Except when a court order exists limiting contact, the officer should attempt to locate and place children or dependent adults with the non-arrested parent, guardian or caregiver.
- (c) Provide for the immediate supervision of children or dependent adults until an appropriate caregiver arrives.
- (d) Notify the Department of Child Services or Adult Protective Services, if appropriate.
- (e) Notify the field supervisor or Shift Supervisor of the disposition of children or dependent adults.

If children or dependent adults are at school or another known location outside the household at the time of arrest, the arresting officer should attempt to contact the school or other known location and inform the principal or appropriate responsible adult of the caregiver's arrest and of the arrangements being made for the care of the arrestee's dependent. The result of such actions should be documented in the associated report.

332.3.2 DURING THE BOOKING PROCESS

During the booking process, the arrestee should be allowed to make telephone calls to arrange for the care of any child or dependent adult in accordance with the Temporary Custody of Adults Policy.

If an arrestee is unable to arrange for the care of any child or dependent adult through this process or circumstances prevent them from making such arrangements (e.g., their behavior prevents reasonable accommodations for making necessary calls), a supervisor should be contacted to determine the appropriate steps to arrange for care. These steps may include additional telephone calls or contacting a local, county or state services agency.

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332.3.3 REPORTING

- (a) For all arrests where children are present or living in the household, the reporting member will document the following information:
 - 1. Name
 - 2. Sex
 - 3. Age
 - 4. Special needs (e.g., medical, mental health)
 - 5. How, where and with whom or which agency the child was placed
 - 6. Identities and contact information for other potential caregivers
 - 7. Notifications made to other adults (e.g., schools, relatives)
- (b) For all arrests where dependent adults are present or living in the household, the reporting member will document the following information:
 - 1. Name
 - 2. Sex
 - 3. Age
 - 4. Whether the person reasonably appears able to care for him/herself
 - 5. Disposition or placement information if he/she is unable to care for him/herself

332.4 DEPENDENT WELFARE SERVICES

Whenever an arrestee is unwilling or incapable of arranging for the appropriate care of any child or dependent adult, the handling officer should contact the appropriate welfare service or other department-approved social service agency to determine whether protective custody is appropriate.

Only when other reasonable options are exhausted should a child or dependent adult be transported to the police facility, transported in a marked law enforcement vehicle or taken into formal protective custody.

Under no circumstances should a child or dependent adult be left unattended or without appropriate care.

Service Animals

333.1 PURPOSE AND SCOPE

The purpose of this policy is to provide the guidelines necessary to ensure that the rights of individuals who use service animals to assist with disabilities are protected in accordance with Title II of the Americans with Disabilities Act of 1990 (ADA).

333.1.1 DEFINITIONS

Definitions related to this policy include:

Service animal - A dog that is trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. The work or tasks performed by a service animal must be directly related to the individual's disability (28 CFR 35.104; I.C. § 16-32-3-1.5).

Service animal also includes a miniature horse if the horse is trained to do work or perform tasks for people with disabilities, provided the horse is housebroken, is under the handler's control, the facility can accommodate the horse's type, size and weight, and the horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility (28 CFR 35.136(i)).

333.2 POLICY

It is the policy of the West Lafayette Police Department to provide services and access to persons with service animals in the same manner as those without service animals. Department members shall protect the rights of persons assisted by service animals in accordance with state and federal law.

333.3 IDENTIFICATION AND USE OF SERVICE ANIMALS

Some service animals may be readily identifiable. However, many do not have a distinctive symbol, harness or collar.

Service animals may be used in a number of ways to provide assistance, including:

- Guiding people who are blind or have low vision.
- Alerting people who are deaf or hard of hearing.
- Retrieving or picking up items, opening doors or flipping switches for people who have limited use of their hands, arms or legs.
- Pulling wheelchairs.
- Providing physical support and assisting with stability and balance.
- Doing work or performing tasks for persons with traumatic brain injury, intellectual disabilities or psychiatric disabilities, such as reminding a person with depression to take medication.

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Service Animals

- Alerting a person with anxiety to the onset of panic attacks, providing tactile stimulation to calm a person with post-traumatic stress disorder, assisting people with schizophrenia to distinguish between hallucinations and reality, and helping people with traumatic brain injury to locate misplaced items or follow daily routines.

333.4 MEMBER RESPONSIBILITIES

Service animals that are assisting individuals with disabilities are permitted in all public facilities and areas where the general public is allowed. Department members are expected to treat individuals with service animals with the same courtesy and respect that the West Lafayette Police Department affords to all members of the public (28 CFR 35.136).

333.4.1 INQUIRY

If it is apparent or if a member is aware that an animal is a service animal, the individual generally should not be asked any questions as to the status of the animal. If it is unclear whether an animal meets the definition of a service animal, the member should ask the individual only the following questions (28 CFR 35.136(f)):

- Is the animal required because of a disability?
- What task or service has the service animal been trained to perform?

If the individual explains that the animal is required because of a disability and has been trained to work or perform at least one task, the animal meets the definition of a service animal and no further questions as to the animal's status should be asked. The individual should not be questioned about his/her disability nor should the person be asked to provide any license, certification or identification card for the service animal.

333.4.2 CONTACT

Service animals are not pets. Department members should not interfere with the important work performed by a service animal by talking to, petting or otherwise initiating contact with a service animal.

333.4.3 REMOVAL

If a service animal is not housebroken or exhibits vicious behavior, poses a direct threat to the health of others, or unreasonably disrupts or interferes with normal business operations, an officer may direct the handler to remove the animal from the premises. Barking alone is not a threat nor does a direct threat exist if the person takes prompt, effective action to control the service animal (28 CFR 35.136(b)).

Each incident must be considered individually and past incidents alone are not cause for excluding a service animal. Removal of a service animal may not be used as a reason to refuse service to an individual with disabilities. Members of this department are expected to provide all services that are reasonably available to an individual with a disability, with or without a service animal.

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Service Animals

333.4.4 COMPLAINTS

When handling calls of a complaint regarding a service animal, members of this department should remain neutral and should be prepared to explain the ADA requirements concerning service animals to the concerned parties. Businesses are required to allow service animals to accompany their handlers into the same areas that other customers or members of the public are allowed (28 CFR 36.302).

Absent a violation of law independent of the ADA, officers should take no enforcement action beyond keeping the peace. Individuals who believe they have been discriminated against as a result of a disability should be referred to the Civil Rights Division of the U.S. Department of Justice (DOJ).

Volunteer & Internship Program

334.1 VOLUNTEER & INTERNSHIP PROGRAM

I. Purpose: This policy establishes program requirements, program content and program evaluation procedures designed to make the work experience meaningful and valuable to both the volunteer and WLPD. It also establishes a standardized training program which augments the volunteer's work or education.

II. Policy: The West Lafayette Police Department realizes the greatest asset of a community is its people. In an effort to give back to the community, WLPD has an internship program for students of law enforcement, social work, or related fields of study. WLPD also appreciates citizens who volunteer to give back to the community.

III. Definitions:

A. Volunteers:

- 1) Persons who perform services for the department without pay
- 2) Augment WLPD staff, but do not replace paid staff positions
- 3) Are non-sworn individuals and do not have authority or duties that would classify them as a Police Officer
- 4) Consent to a background and criminal history check prior to final acceptance
- 5) Must attend a mandatory orientation
- 6) Display department issued identification at all times
- 7) Review and sign the WLPD Citizens Ride- Along Policy

B. Interns:

- 1) Must be twenty-one (21) years of age.
- 2) Enrolled in a college or university studying law enforcement, social work, or related fields of study
- 3) Have a minimum GPA of 2.5
- 4) Consent to a background and criminal history check prior to final acceptance
- 5) Complete and submit all information requested
- 6) Display department issued identification at all times
- 7) Review and sign the WLPD Citizens Ride -Along Policy, Student Intern / Volunteer Application, Code of Conduct, Waiver of Liability, and Student Internship Contract.
- 8) Complete an interview with the Intern Coordinator

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Volunteer & Internship Program

IV. The Order:

A. You will be disqualified from being a volunteer or intern if any of the following apply. The following are also grounds for dismissal from the program once you are approved.

- 1) Three (3) or more traffic violations during the last 24 months
- 2) Any Felony or Class A Misdemeanor conviction (includes Deferred Adjudication convictions)
- 3) Class B Misdemeanor in the past (1) year (includes Deferred Adjudication convictions)
- 4) Family violence convictions
- 5) Indictment for any criminal offense
- 6) Not living in the United States legally
- 7) Any abuse of drugs or alcohol
- 8) Dishonorably discharged from the United States Armed Forces
- 9) Inappropriate behavior relating to sexual harassment or racial slurs
- 10) Committed an act or behavior that would bring reproach and/or discredit to themselves or the department.

B. The West Lafayette Intern program will strive to give the participant a full and complete view of the responsibilities of law enforcement or police social work. During the internship the student will at a minimum:

- 1) Acclimate themselves with the various departments with the police department
 - a) Records
 - b) Dispatch
 - c) Detectives
 - d) Property Room
 - e) Crime Scene Investigator
 - f) Neighborhood Resource Team
 - g) Vehicle Maintenance
 - h) Department Standard Operating Procedures
- 2) Observe the West Lafayette Fire Department in an effort to understand the requirements needed to accomplish the dual mission shared by both departments.

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Volunteer & Internship Program

3) Majority of the internship will be spent within the patrol division learning but not limited to:

- a) Vehicle operation
- b) Enforcement of criminal law
- c) Enforcement of traffic law
- d) Enforcement of city ordinances
- e) Citizen contacts
- f) Dispute resolution
- g) Crisis intervention
- h) Community involvement
- i) Business checks
- j) Proactive policing

4) For those students interning with the Social Service & Crisis Response Specialist, learning will include but not be limited to:

- a) Citizen contacts
- b) Crisis intervention
- c) Community involvement
- d) Data Collection
- e) Collaboration with other social service agencies
- f) Adherence to the Council on Social Work Education (CSWE) Core Competencies and Behaviors

[See attachment: Intern and Volunteer Forms -2023.pdf](#)

Off-Duty Law Enforcement Actions

335.1 PURPOSE AND SCOPE

This policy is intended to provide guidelines for officers of the West Lafayette Police Department with respect to taking law enforcement action while off-duty.

335.2 POLICY

It is the policy of the West Lafayette Police Department that officers generally should not initiate law enforcement action while off-duty. Officers are not expected to place themselves in unreasonable peril and should first consider reporting and monitoring the activity. However, any officer who becomes aware of an incident or circumstance that he/she reasonably believes poses an imminent threat of serious bodily injury or death, or significant property damage or loss, may take reasonable action to minimize or eliminate the threat.

Officers shall avoid becoming involved or making arrests in neighborhood quarrels or disputes when off duty, except when lives are in danger, and an officer of the department with jurisdiction then on duty is not immediately available.

Officers shall not make arrests in their own quarrels or those of their families, except under grave circumstances such as would justify them in using measures of self-defense; nor shall they apply for a warrant for an assault upon themselves or make a complaint for damages, or adjust the same without reporting the case in writing to the Chief.

335.3 DECISION TO INTERVENE

Officers should consider waiting for on-duty uniformed law enforcement personnel to arrive and while gathering as much accurate intelligence as possible, instead of immediately intervening. However, if an officer decides to intervene, he/she must evaluate whether the action is necessary or desirable, and should take into consideration:

- (a) The potential to be misidentified by other law enforcement personnel.
- (b) The potential to be misidentified by members of the public, who may be armed or who may take action.
- (c) The tactical disadvantage of being alone and the possibility of multiple or hidden suspects.
- (d) Limited off-duty firearms capabilities and ammunition.
- (e) The inability to communicate with responding law enforcement personnel.
- (f) The lack of equipment, such as body armor, handcuffs or control devices.
- (g) Unfamiliarity with the surroundings, including escape routes.
- (h) The potential for increased risk to bystanders by confronting a suspect or taking action.

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Off-Duty Law Enforcement Actions

335.3.1 INTERVENTION PROCEDURE

If involvement is reasonably necessary, the officer should attempt to call or have someone else call 9-1-1 to request immediate assistance. If possible, the dispatcher receiving the call should obtain a description of the off-duty officer from the caller and broadcast that information to responding officers.

Whenever practicable, the officer should loudly and repeatedly identify him/herself as an officer with the West Lafayette Police Department until acknowledged. Official identification should also be displayed when possible.

335.4 CONSIDERATIONS

When encountering a non-uniformed officer in public, uniformed officer should wait for acknowledgement by the non-uniformed officer in case he/she is working in an undercover capacity.

335.4.1 CIVILIAN RESPONSIBILITIES

Civilian members should not become involved in any law enforcement action while off-duty except to notify the local law enforcement authority and remain at the scene, if safe and practicable.

335.4.2 INCIDENTS OF PERSONAL INTEREST

Department members should refrain from handling incidents of personal interest (e.g., family or neighbor disputes) and should remain neutral. In such circumstances members should call the responsible agency to handle the matter.

335.5 REPORTING

If prior notification to the appropriate local law enforcement agency is not reasonably possible before taking action, the officer shall notify the agency as soon as reasonably practicable. Officers shall cooperate fully with the agency having jurisdiction by providing statements or reports as requested or as appropriate.

Officers shall notify the Shift Supervisor regarding any law enforcement action taken while off-duty. The Shift Supervisor may send a supervisor to the location. The supervisor may request assistance from the Internal Affairs Unit, if deemed appropriate.

335.5.1 NOTIFICATION OF WLPD DISPATCH CENTER

Any law enforcement action taken while off duty shall be documented/recorded by contacting the West Lafayette Police Dispatch Center and requesting a CAD sheet/ISR be generated.

Ceremonial & Flag Etiquette

336.1 CEREMONIAL & FLAG ETIQUETTE

336.1.1 PURPOSE

This order is to establish the Ceremonial & Flag Etiquette for police officers at funerals and special details. Guidelines for uniforms worn at special details, and proper etiquette at funerals and raising of the colors.

336.1.2 POLICY

The intent of this policy is to have the officers of the West Lafayette Police Department perform these duties in a most professional manner.

336.2 THE ORDER

336.2.1 UNIFORM

Officers who represent the West Lafayette Police Department shall wear long sleeved shirts with tie & campaign hat. Officers may wear white gloves if authorized by the Chief of Police or by the Ranking Officer in charge.

Color Guard Officer will wear his color guard uniform if representing the department with other members of the Tippecanoe Metro Police Color Guard.

336.2.2 COMMANDS

Officers will follow the commands for hand salute and parade rest from the Officer in Charge while at the ceremony.

336.3 FUNERAL FOR FALLEN OFFICERS:

336.3.1 ATTENDANCE AT FUNERAL HOME OR CHURCH

If requested, two officers will stand guard at the casket with their campaign hats on. One officer will stand at Parade Rest at the head of the casket, and one officer will stand at Parade Rest at the foot of the casket. If possible, this will be in 30-minute shifts.

While replacing these officers, two officers will march up to the Guard Officers and stop directly in front of the two Guard Officers. The two Guard Officers will come to attention and a hand salute will be given. The Guard Officer at the head of the casket will make a right face movement and the Guard Officer at the foot of the casket will make a left face movement at the same time. The Guard Officers will march from the casket at the same time and the two replacement Officers will take one step forward together and make an about-face movement. The two replacement Guard Officers will then go to Parade Rest and continue their 30-minute shift. This will continue until the service is completed.

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Ceremonial & Flag Etiquette

336.3.2 GRAVESITE DETAIL FOR FALLEN OFFICERS

1. Eight Pallbearers are needed, four on each side. The highest-ranking officer will stand at the right side of the hearse door. The casket will be draped with the flag.

a) While carrying the casket, the other officers will be in two columns toward the gravesite. The casket will be carried between these two columns and officers in these columns will salute while the casket is being carried to the gravesite. The pallbearers will place the casket on the lower device and the pallbearers will remain standing at attention in place facing the casket. The other officers will take position at a predetermined location near the gravesite.

The pallbearers will raise the flag and hold the flag waist level until the conclusion of Taps.

When the service has concluded, the officer in charge will call all officers to attention and a hand salute command will be given. The Firing Party will fire three volleys of blank cartridges at which time the Firing Party will be brought to present arms and hand salute until Taps are completed. After Taps have been completed, the flag will be folded into a Cocked Hat shape and handed down to the pallbearer who faces left to the head of the casket. The flag is handed to the Officer in Charge at "chest level". The pallbearer salutes for three seconds and then faces right to assume his original position. The pallbearers then face left or right together and march away from the gravesite in columns of two.

b) See diagram for proper folding of flag.

c) Marked police vehicles will be used for the escort to the cemetery and should be clean. Number of vehicles will be as many as the shift working can spare.

336.4 FUNERAL DETAIL FOR OFFICER'S FAMILY MEMBERS

Uniform:

1. Uniform will be as described in this policy unless otherwise determined by the Chief of Police.
2. Detail at Funeral Home and Cemetery. Officers will conduct themselves in a professional manner, but will not perform duties as described for Fallen Officers.
3. At least one marked police vehicle should be used and car-pooling would be fine.

336.5 FLAG ETIQUETTE

336.5.1 RAISING OF THE COLORS

- 1) Two officers are needed if available.
- 2) One officer holds the flag while the second officer takes command of the halyards (ropes).
- 3) The top of the flag is attached to the halyard and is pulled by the puller until the bottom of the flag can be attached. The flag is then pulled to the top of the pole and tied off by the puller.

336.5.2 RETIRING OF THE FLAG

- 1) Two officers are needed if available.

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Ceremonial & Flag Etiquette

2) One officer unties the halyard and untangles them if needed.

3) The flag is lowered by the first officer while the second officer takes possession of the flag, so it does not touch the ground.

336.5.3 FLYING OF THE FLAG

Flag is flown at half-staff if a high-ranking government official dies or if an officer is killed in the line of duty.

a) The flag is to be flown at half-staff for three days.

b) When the flag is being flown at half-staff the flag is raised to the top of the pole and lowered to the half-staff position.

c) Before retiring the flag from the half-staff position the flag must be raised to the top of the pole and then lowered.

336.5.4 REPLACEMENT OF THE FLAG

The flag is to be replaced when it is torn or if it becomes overly worn.

Distraction Devices

337.1 DISTRACTION DEVICES

337.2 PURPOSE

This Order sets forth the conditions under which Distraction Devices may be used.

337.3 POLICY

The duties of a Law Enforcement Officer at times may necessitate the use of distraction devices as a means to accomplish a law enforcement objective. The West Lafayette Police Department recognizes distraction devices as an approved force option and sets forth the following Order regarding their use.

337.4 DEFINITIONS

Distraction Device: A low-explosive, less lethal, mechanical device that upon initiation emits a loud noise, bright light, and heat. It is intended to divert or distract a subject's attention.

337.5 THE ORDER

Law enforcement officers of the West Lafayette Police Department may use distraction devices when the officer has a reasonable belief that the use of such a device will deter or delay aggressive or violent behavior; prevent unnecessary injury or death to the officer, another person, or the suspect(s)

1. Some justifications for use include:

- a. Rescuing hostages
- b. Distracting potentially dangerous suspects to enable their arrest
- c. To control a riot
- d. To prevent a lethal force assault

2. Officers will not use distraction devices:

- a. In known drug labs or other explosive environments
- b. Where there are known to be infants or elderly persons present, unless other aggravating circumstances will justify use.

3. Except in emergency situations, the planned use of a distraction device will require the approval of a supervisor. In an emergency situation, a distraction device may be deployed without prior supervisor approval.

337.6 METHOD OF DEPLOYMENT

1. Prior to deploying a distraction device, the officer will look where they are going to place the device.

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Distraction Devices

2. Officers will place the distraction device in a manner and place deemed reasonably safe for activation of the device with consideration for the tactical advantage gained by employing the device versus the risk of deploying it to officers and other people.

3. If the intended placement location is deemed unsafe by the deploying officer(s), and the device fuse pin has been removed, the officer will toss/place the device in an alternate safe deployment location, ideally pre-designated, as soon as possible.

337.7 REQUIRED SAFETY EQUIPMENT

1. Fire extinguisher
2. Eye protection
3. Nomex or leather gloves

337.8 TRAINING

Training may be in the form of:

- a. Distribution of the Order to sworn officers
- b. Roll call discussion
- c. In service training sessions
- d. Academy training
- e. Field training

Facility Security/Security System/Parking

338.1 FACILITY SECURITY/SECURITY SYSTEM/PARKING

338.2 PURPOSE

To ensure the security of employees while working in the building and to control the access of non-city employees.

338.3 POLICY

Shift Command and Dispatch shall control the flow of non-police personnel in and out of the Police Department. Shift Command shall ensure that non-police personnel do not enter the building without first being identified, and once in the building they shall not be permitted to roam around without being checked.

338.4 THE ORDER

All doors except the North main entrance to the Police Department shall remain locked at all times. The North entrance shall remain unlocked from the hours of 0800 to 1600 hours Monday through Friday. The main North door shall remain locked on weekends and holidays.

1. City Employees:

- a) Only authorized city employees shall be issued codes to the Police Department, which will allow them access to the fitness facility, or other areas as necessary.

2. Non-city Employees:

- a) Non-city Employees shall report to the lobby area of the Police Department where Record Division personnel or Dispatch will check with them and determine with whom they have business. Once they have declared whom they wish to meet with, Records or Dispatch will notify that employee that a subject is in the lobby for them.

The employee will go to the lobby and escort the guest to a location within the department where they will conduct business. When they are finished with their appointment the employee will escort the guest back to the lobby area so they may leave.

3. Deliveries:

- a) Deliveries to the lobby:

(1) Deliveries to the lobby area of the department shall be met by records personnel and escorted to the place of delivery, and then back to the lobby area.

4. Repair Workers:

- a) Repair workers who have business at the Police Department shall be identified by Records personnel. The Captain of Special Services, or their designee, should be notified and shall meet with the subject. The Captain of Special Services, or their

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designee, shall confirm the work order and escort the repair person to the location of the repair. If the Captain of Special Services, or their designee is not available or not on duty then shift command shall assume this responsibility. The employee who completes the escort for a repair does not need to witness the entire repair process but should monitor the person's activity until the work is complete.

5. Prisoner:

a) All prisoners shall be brought into the department by way of the West door and placed in the secure holding area. If the prisoner needs to use the restroom facilities they shall use the restroom facilities in the holding area.

6. Juveniles:

a) Any juvenile brought into the Police Department shall be held either in the holding area with the door unsecured or in any other monitored, unsecured area as necessary.

7. Security System:

a) Maintenance/Repair of System:

(1) The Captain of Special Services shall be responsible for the maintenance and repair of the security system.

b) Security System Recordings:

(1) Recordings shall be maintained on the security system for a period of 180 days. All recordings older than 180 days will be purged from the security system.

(2) Recordings to be used as evidence shall be considered and handled as evidence. These recordings shall be copied to a CD or DVD and entered into evidence in the evidence/property room by means of the evidence lockers, or turned directly over to an Evidence Technician.

(3) Recordings and all CD/DVDs shall remain the property of the West Lafayette Police Department and shall not be duplicated or released outside of the Department without proper authorization. All original CD/DVD recordings shall remain the property of the West Lafayette Police Department.

(4) Recordings and recording segments produced on the Department's security system shall not be duplicated, altered, erased, or reused in any other manner inconsistent with this policy.

(5) Any display or copying of any recording, other than that normally required in conducting police duties, shall be approved in advance by the Chief of Police.

c) Copies of Recordings:

(1) When required, recordings will be copied by an Evidence Technician.

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(2) In our effort to cooperate with other law enforcement agencies and other interested parties with legitimate needs, the Department may provide copies of a recording, subject to certain guidelines.

(a) All recordings being maintained as evidence are subject to criteria imposed by the rules of evidence.

(b) Requests must be made in writing to the Chief of Police on official letterhead of the requesting agency.

(c) Requests **MUST** be signed by the Chief Administrative Officer of the requesting agency.

(d) The recording requested is not currently the subject of judicial review.

(e) These duplicated recordings are furnished to the requesting entities for the express use of the requester and further duplication and/or distribution is prohibited without the express written authorization of the Chief of Police. The duplicate shall be labeled in a manner consistent with the intent of this paragraph.

After Hours/Employee Recall Notification

339.1 AFTER HOURS/EMPLOYEE RECALL NOTIFICATION

339.2 PURPOSE

To establish protocol for after hours notification of off duty employees.

339.3 POLICY

Employees of the West Lafayette Police Department are subject to recall to duty in cases deemed necessary by their supervisor, division commander, or the Chief of Police.

After receiving command authorization Police dispatch will notify involved employees by telephone and advise them of the call out. If nobody answers leave a message for the employee to contact the department immediately.

Dispatch will maintain a written log of who was contacted and when. If requested, the authorizing supervisor shall be contacted when the recall notification is complete.

339.4 THE ORDER

339.4.1 SHIFT STAFFING SHORTAGES

The immediate supervisor, division commander, or Chief of Police may authorize employee recall to cover shift staffing shortages.

339.4.2 INVESTIGATORS/TECHNICIAN SERVICES NEEDED

The Commander of the Detective division may authorize recalling an investigator or technician when needed.

The Deputy Chief or Chief may authorize the recall when the Commander of the Detective division is not available.

339.4.3 SPECIAL RESPONSE TEAM

The team commander will be contacted first and advised of the request.

The team commander will assess the situation, and contact the Deputy Chief of Police for permission to deploy the team.

339.4.4 EMERGENCY RECALL OF SOME OR ALL DEPARTMENT PERSONNEL

The Chief of Police may authorize a full or partial recall as needed in the event of an emergency.

339.4.5 RECALL OF ACO/BAILIFF AFTER DUTY HOURS

ACO/Bailiff is not to be paged after duty hours unless the circumstance warrants such an employee recall and the recall of the ACO/Bailiff is approved by the shift commander.

Knox Box Use

340.1 KNOX BOX USE

340.1.1 PURPOSE

The purpose of this Knox Box policy is to give guidance as to when the Knox Box key can be used. The Knox Box key can be used by Police Department personnel to gain access to the structure during emergency situations only. If access is needed to be gained to the structure for routine police activity, the owner, manager, or resident is to be contacted to provide entry.

340.1.2 POLICY

West Lafayette Police Personnel may use the Knox Box key to gain access to the building or structure during emergency situations. Knox Box keys are attached to each patrol car key ring. After the emergency is mitigated, the Knox key shall be returned to the building's Knox Box and secured. The Police Officer that used the Knox key is responsible for returning the key and making sure the Knox Box is locked back to the secured condition. The Officer using the Knox Box key shall inform dispatch by radio that the key has been used. Dispatch will be responsible for documenting the usage in CAD.

340.1.3 THE ORDER

A. Police Department personnel are reminded that some newer Knox Boxes are attached to a "tamper switch". When the Knox Box is opened, this tamper switch sends a signal to the alarm company that the Knox Box has been opened.

B. Police Department personnel are to report any lost or missing Knox keys immediately to Shift Command or the Special Services Commander. If a Knox key is missing, a CAD report shall be initiated by the reporting Officer.

C. Police Department personnel are to report any damaged or missing Knox Boxes immediately to Shift Command or the Special Services Commander. The building's owner or manager will be contacted and advised of the damage.

D. By City Code, Chapter 119.01, new or commercial buildings, multi-family residential structures, fraternities, sororities or cooperatives, government structures, nursing care facilities, religious or church structures, or buildings that contain a quantity of hazardous materials shall be equipped with a Knox Box. The Knox Box model #3200 series is approved.

Identity Theft

341.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation of identity theft.

341.2 POLICY

It is the policy of the West Lafayette Police Department to effectively investigate cases of identity theft.

341.3 ACCEPTANCE OF REPORTS

A report shall be taken any time a person living within the jurisdiction of the West Lafayette Police Department reports that he/she has been a victim of identity theft. This includes (I.C. § 35-40-14-3):

- (a) Taking a report even if the location of the crime is outside the jurisdiction of this department or has not been determined.
- (b) Providing the victim with a copy of the police report.

A report should also be taken if a person living outside the department jurisdiction reports an identity theft that may have been committed or facilitated within this jurisdiction (e.g., use of a post office box in West Lafayette to facilitate the crime).

Members taking reports should provide the victim with department information as set forth in the Victim and Witness Assistance Policy, encourage the individual to review the material and assist the victim with any questions.

City Ordinance Code Book

342.1 CLICK THE BELOW LINK TO ACCESS THE WEST LAFAYETTE CITY ORDINANCE CODE

https://library.municode.com/in/west_lafayette/codes/code_of_ordinances

Chapter 4 - Patrol Operations

Patrol

400.1 PURPOSE AND SCOPE

The purpose of this policy is to define the patrol function and address intraorganizational cooperation and information sharing.

400.2 POLICY

The West Lafayette Police Department provides patrol services 24 hours a day, seven days a week and will prioritize responses to requests for emergency services using available resources to enhance the safety of the public and department members.

400.3 FUNCTION

Patrol will generally be conducted by uniformed officers in clearly marked law enforcement vehicles in assigned jurisdictional areas of West Lafayette. The function of patrol is to respond to calls for assistance and reports of criminal activity, act as a deterrent to crime, enforce state and local laws, identify community needs, provide support and assistance to the community and respond to emergencies.

Patrol services include, but are not limited to:

- (a) Responding to emergency calls for service.
- (b) Apprehending criminal offenders.
- (c) Providing mutual aid and assistance to other agencies for emergency and law enforcement-related activities.
- (d) Patrol that is directed at the prevention of criminal acts, traffic violations and collisions, the maintenance of public order and the discovery of hazardous situations or conditions.
- (e) Responding to reports of both criminal and non-criminal acts.
- (f) Responding to routine calls for service, such as public assistance or public safety.
- (g) Traffic direction and control.
- (h) Crime prevention activities, such as residential inspections, business inspections and community presentations.
- (i) Community-oriented policing and problem-solving activities including the application of resources to improve or resolve specific problems or situations and contacting or assisting members of the public in a positive way.
- (j) The application of resources to specific problems or situations within the community that may be improved or resolved by community-oriented policing and problem-solving strategies.

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Patrol

400.3.1 DISTRICT/BEAT ASSIGNMENTS

Patrol Officers will be assigned a district assignment at the beginning of each shift.

1. Officers should primarily patrol the district assigned to them.
2. Officers are responsible for all calls for service and police functions within their assigned district.

400.4 INFORMATION SHARING

To the extent feasible, all information relevant to the mission of the Department should be shared among all divisions and specialized units on a timely basis. Members should be provided with opportunities on a regular basis to share information during the daily roll calls and to attend roll calls of other divisions or specialized units.

Additionally, information should be shared with outside agencies and the public in conformance with department policies and applicable laws. Members are encouraged to share information with other units and divisions. Additionally, information should be shared with outside agencies and the public in conformance with department policies and applicable laws.

400.5 CROWDS, EVENTS AND GATHERINGS

Officers may encounter gatherings of people, including, but not limited to, civil demonstrations, public displays, parades, sporting events and civic, social and business events. Officers should monitor such events as time permits in an effort to keep the peace and protect the safety and rights of those present. A patrol supervisor should be notified when it becomes reasonably foreseeable that such an event may require increased monitoring, contact or intervention.

Officers responding to an event or gathering that warrants law enforcement involvement should carefully balance the speech and association rights of those present with applicable public safety concerns before taking enforcement action.

Generally, officers should consider seeking compliance through advisements and warnings for minor violations, and should reserve greater enforcement options for more serious violations or when voluntary compliance with the law is not achieved.

Officers are encouraged to contact organizers or responsible persons to seek voluntary compliance that may address relevant public safety concerns.

Bias-Based Policing

401.1 PURPOSE AND SCOPE

This policy provides guidance to department members that affirms the West Lafayette Police Department's commitment to policing that is fair and objective.

Nothing in this policy prohibits the use of specified characteristics in law enforcement activities designed to strengthen the department's relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach, partnerships).

401.1.1 DEFINITIONS

Definitions related to this policy include:

Bias-based policing- An inappropriate reliance on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement service or enforcement.

401.2 POLICY

The West Lafayette Police Department is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group.

401.3 BIAS-BASED POLICING PROHIBITED

Bias-based policing is strictly prohibited.

However, nothing in this policy is intended to prohibit an officer from considering protected characteristics in combination with credible, timely and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns or specific schemes.

401.4 MEMBER RESPONSIBILITIES

Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor. Members should, when reasonable to do so, intervene to prevent any bias-based actions by another member.

401.4.1 REASON FOR CONTACT

Officers contacting a person shall be prepared to articulate sufficient reason for the contact, independent of the protected characteristics of the individual.

To the extent that written documentation would otherwise be completed (e.g., arrest report, field contact), the involved officer should include those facts giving rise to the contact, as applicable.

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Bias-Based Policing

Except for required data-collection forms or methods, nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

401.4.2 REPORTING TRAFFIC STOPS

Each time an officer makes a traffic stop, the officer shall report any information as required in the Traffic and Parking Citations Policy.

401.5 SUPERVISOR RESPONSIBILITIES

Supervisors should monitor those individuals under their command for compliance with this policy and shall handle any alleged or observed violations in accordance with the Personnel Complaints Policy.

- (a) Supervisors should discuss any issues with the involved officer and his/her supervisor in a timely manner.
 - 1. Supervisors should document these discussions, in the prescribed manner.
- (b) Supervisors should periodically review Mobile Audio/Video (MAV) recordings, portable audio/video recordings, Mobile Data Terminal (MDT) data and any other available resource used to document contact between officers and the public to ensure compliance with this policy.
 - 1. Supervisors should document these periodic reviews.
 - 2. Recordings or data that capture a potential instance of bias-based policing should be appropriately retained for administrative investigation purposes.
- (c) Supervisors shall initiate investigations of any actual or alleged violations of this policy.
- (d) Supervisors should take prompt and reasonable steps to address any retaliatory action taken against any member of this department who discloses information concerning bias-based policing.

401.6 TRAINING

Training on fair and objective policing and review of this policy should be conducted as directed by the Training Officer.

401.6.1 REQUIRED TRAINING

Training on the impropriety of racial and biased-based policing, including legal requirements and sanctions, shall be conducted at least every three years.

Crime and Disaster Scene Integrity

402.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance in handling a crime or disaster scene.

402.2 POLICY

It is the policy of the West Lafayette Police Department to secure crime or disaster scenes so that evidence is preserved, and to identify and mitigate the dangers associated with a major crime or disaster scene for the safety of the community and those required to enter or work near the scene.

402.3 SCENE RESPONSIBILITY

The first officer at the scene of a crime or major incident is generally responsible for the immediate safety of the public and preservation of the scene. Officers shall also consider officer safety and the safety of those persons entering or exiting the area, including those rendering medical aid to any injured parties. Once an officer has assumed or been assigned to maintain the integrity and security of the crime or disaster scene, it shall be maintained until the officer is properly relieved by a supervisor or other designated person.

402.4 FIRST RESPONDER CONSIDERATIONS

The following list generally describes the first responder's function at a crime or disaster scene. This list is not intended to be all-inclusive, is not necessarily in order and may be altered according to the demands of each situation:

- (a) Broadcast emergency information, including requests for additional assistance and resources.
- (b) Provide for the general safety of those within the immediate area by mitigating, reducing or eliminating threats or dangers.
- (c) Locate or identify suspects and determine whether dangerous suspects are still within the area.
- (d) Provide first aid to injured parties if it can be done safely.
- (e) Evacuate the location safely as required or appropriate.
- (f) Secure the inner perimeter.
- (g) Protect items of apparent evidentiary value.
- (h) Secure an outer perimeter.
- (i) Identify potential witnesses.
- (j) Start a chronological log noting critical times and personnel allowed access.
- (k) Request a Crime Scene Technician if needed.
- (l) Request CID if needed.

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402.5 SEARCHES

Officers arriving at crime or disaster scenes are often faced with the immediate need to search for and render aid to victims, and to determine if suspects are present and continue to pose a threat. Once officers are satisfied that no additional suspects are present and/or there are no injured persons to be treated, those exigent circumstances will likely no longer exist. Officers should thereafter secure the scene and conduct no further search until additional or alternate authority for the search is obtained, such as consent or a search warrant.

402.6 ILLEGAL DRUG MANUFACTURING REPORTING

Any officer that terminates the use of a property (i.e., a dwelling, building, motor vehicle, trailer, watercraft) in the illegal manufacture of a controlled substance shall report the location of the property to (I.C. § 5-2-15-3):

- (a) The state police department.
- (b) Any fire department that serves the area where the property is located.
- (c) The local health department where the property is located.
- (d) The Indiana Criminal Justice Institute.

Officers shall utilize the forms provided by the Superintendent of the Indiana State Police when reporting the existence of the property (I.C. § 10-11-2-31).

402.7 EVIDENCE PRESERVATION AND COLLECTION

The West Lafayette Police Department will establish and maintain the ability to have access to trained crime scene technicians to assist with major crime investigations when necessary.

In addition to the provisions of the Property and Evidence Section Policy, the Criminal Investigation Commander will establish procedures for collection and processing physical evidence including, but not limited to:

- (a) Photographing or plotting evidence before collection.
- (b) Preserving evidence during and after collection.
- (c) Preventing the contamination of evidence.
- (d) Obtaining sufficient samples.
- (e) Sealing, marking and labeling evidence at the scene.

Special Response & Negotiation Teams

403.1 PURPOSE

The purpose of this policy is to provide guidelines for the department's response to situations that require, or may require the Special Response Team to be activated.

403.2 POLICY

Hostage, non-hostage barricade, high risk warrant service and raid situations present unique challenges to the police in our nation today. Police personnel must respond with restraint, innovation and sensitivity to assure that all non-force alternatives are exhausted before force is used.

403.3 DEFINITIONS

Command Structure:

In the event of an incident or major event the command structure will follow the National Incident Management System (NIMS) guidelines for Incident Command Systems (ICS) concepts, principles, and management characteristics.

Incident Commander: The command person (Chief or Designee) responsible for overall incident management ensuring clear authority and establishing incident objectives and strategies.

SRT Administrative Commander: The command person who oversees all SRT operations and tactics to include hostage negotiations if warranted. This person reports directly to the Incident Commander.

SRT Commander: The command person who oversees SRT tactics in the field if a tactical resolution is requested by the Incident Commander. This person reports directly to the SRT Administrative Commander.

Hostage Situation: These situations include cases where persons are held against their will by a subject or subjects who restrict their movement by means of force, or the threat of force.

Barricade/Non-Hostage Situations: These cases involve situations where one or more persons, who may be armed or are trying to harm themselves, refuse police entrance to a given place or area. This can include, but is not limited to, people who are actually barricaded in a structure or vehicle, or to the person threatening suicide.

Command Post: A secure location within the outer perimeter, if possible, in which incident command will operate from. In the command post will be the Incident Commander, SRT Administrative Commander, Investigative Commander, and if warranted by the incident, Hostage Negotiators. Other key members of the agency may also be located in the incident command post if directed by the Incident Commander.

- a. It will be the responsibility of the SRT Administrative Commander to either secure this location, or to direct another officer to secure this location.

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- b. The SRT Administrative Commander may also assign an officer to the post to see that no unauthorized personnel enter the command post.

Public Information Area: The Incident Commander shall secure a location for all media personnel to assemble and wait for all information and news releases. This area will be set up outside the outer perimeter and out of view of the command post.

403.4 THE ORDER

A. The Chief of Police shall be contacted and advised of:

- 1. All potential or real hostage incidents.
- 2. All barricade and non-hostage cases involving weapons.
- 3. Any raid situation where forced entry will be or may be needed.
- 4. Any other situation in which any officer requests the use or assistance of the Special Response Team.

B. The Chief of Police will evaluate the situation and decide if the Special Response Team is to be activated.

C. If the Chief of Police cannot be contacted, the Deputy Chief will be contacted. If the Chief of Police and the Deputy Chief are both unavailable, contact the Captain of Patrol.

D. If the Chief of Police or his designee determine that the Special Response Team is to be activated, dispatch will be directed to contact the entire Special Response Team, including the Hostage Negotiators, if warranted.

- 1. It is the Shift Commander's responsibility to see that dispatch contacts the Special Response Team members and the Hostage Negotiators, if warranted.

403.5 GOALS/RESPONSIBILITIES

A. The primary goal of the Special Response Team Hostage Negotiators is to resolve the situation without the use of force, under the direction of the Incident Commander.

B. The Special Response Team is responsible for containing the inner perimeter and being available if defensive force or entry becomes necessary. The Special Response Team Commander will maintain contact with the SRT Administrative Commander in the command post.

C. The Criminal Investigation Division Commander shall report to headquarters and determine if any other personnel need to be notified, and direct the gathering of intelligence on the perpetrator(s).

D. The use of weapons will only occur under the guidelines outlined in the department's Use of Force policies.

E. The on duty commander will be responsible for containing the outer perimeter during the entire situation. The on duty commander, at the directions of the Incident Commander, will also be responsible for making sure other appropriate emergency service personnel (ambulance/

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fire personnel, etc.) and other necessary personnel (electric company, gas company, telephone company, etc.) are notified and staged in a safe area nearby.

F. Responsibility of initial responding uniform officers:

1. Once it has been determined that a potential or actual hostage, non-hostage or barricade incident exists, the officers shall contain the situation immediately, and notify their supervisor. If dialogue has already begun between the officer and the perpetrator(s), it can continue, but the officer should stall for time and attempt to de-escalate the situation. The officer should avoid, if possible, face-to-face communication with the perpetrator(s). If conversation antagonizes the perpetrator(s), then it is not advised.

- a) Containing and isolating the immediate area is critical at this stage. The initial responding officer should, at least mentally, note any pertinent information regarding the perpetrator(s).

- b) The first supervisor on the scene shall make sure that written notes of all activity are kept. This information is to be given to the Hostage Negotiators and SRT Administrative Commander upon arrival.

G. At the conclusion of the incident the Shift Commander should provide personnel to secure the area until such time as the Command Post personnel advise it is no longer necessary.

403.6 REPORTING PROCEDURES

When the Special Response Team is used at an incident, the responsibility of the initial responding shift commander is to assign responsibility for the incident/criminal investigation report. The Criminal Investigation Division Commander will see that investigators are assigned to take statements from witnesses and victims, and that the crime scene is photographed and properly processed. No Special Response Team member, including Hostage Negotiators will be involved in the criminal investigation procedure.

403.7 TRAINING

The SRT Commander shall conduct an annual SRT training needs assessment to ensure that training correlates to the team's capabilities and department policy.

A. Training Safety

Use of a designated safety officer should be considered for all tactical training.

B. Initial Training

Tactical team members should not be deployed until successful completion of a basic SRT course or its equivalent that has been approved by this department.

1. Untrained members may be used in a support or training capacity.

C. Management Training

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Command personnel who may assume incident command responsibilities should attend a tactical commander's course or its equivalent that has been approved by this department.

D. Scenario-Based Training

The SRT should participate in scenario-based training that simulates the critical field operations environment. Such training is an established method of improving performance during an actual deployment.

E. Training Documentation

Individual and team training shall be documented and records maintained by the training coordinator. Such documentation shall be maintained in each members training file. A separate department SRT training file shall be maintained with documentation and records of all team training.

403.8 SRT EQUIPMENT INSPECTIONS

The SRT Commander or his designee shall direct and oversee the inspection of all SRT related equipment quarterly.

403.8.1 SUBSECTION TITLE

403.9 SPECIAL RESPONSE TEAM PHYSICAL AGILITY

403.9.1 PURPOSE

The purpose of this policy is to provide guidelines for the physical agility testing of SRT members or potential team members.

403.9.2 POLICY

All Special Response Team members or potential team members will be required to successfully complete the physical agility test twice a year to remain an active member of the team. Potential team members will be required to pass the physical agility test to be considered further for assignment to the team.

403.9.3 THE ORDER

The physical agility test will be administered twice a year to all team members. Any current team member who fails to pass the physical agility test will be placed on inactive status and will be given a retest in one week. If they do not pass the test again they will be given one last retest in six months. Anyone who fails this test will be taken off the team. Any potential team member who fails to pass the physical agility test will not be considered further for the current team opening but can retake the test in one year.

403.9.4 PHYSICAL TEST

All of the following stages of the physical test correspond to essential SWAT job functions. These functions include:

- Crawling and running

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- Jumping over and across obstacles
- Maintaining balance while traversing a narrow object or wall
- Maintaining a tactical position for an extended period of time and remaining alert
- Climbing fences, walls, multiple flights of stairs, ladders, fire escapes...to gain an objective of tactical position
- Lifting and carrying necessary equipment over rough terrain a reasonable distance
- Lifting and dragging wounded officer/citizen to safety in a reasonable time across a reasonable distance.
- Running to escape an area of danger or to cross an open area. Running to pursue a suspect or rescue a hostage
- Functioning up on roof tops, ledges and high positions
- Functioning in crawl spaces, tunnels, vents...
- Low and high crawling to objectives

A. Station 1: Box Jump: Applicants will perform a box jump, this test measures explosive leg strength. The standard for this test is 20 inches.

B. Station 2: Pull-ups: The applicant will perform pull-ups wearing a 25 lb weighted vest and starting from a dead hang. This test measures upper body strength. The standard for this test is 1.

C. Station 3: 100 yard run with 25 lb ram: The applicant must run 100 yards carrying a 25 lb ram. This test will measure upper body strength and anaerobic power. The applicant must complete this test in 20 seconds.

D. Station 4: Maximum sit-ups in 1 minute: The applicant will perform as many sit-ups as he can in the time allotted. This test measures core, abdominal dynamic strength and local muscular endurance. The standard is 38 repetitions in a minute.

E. Station 5: 300 meter sprint: The applicant will sprint 300 meters. This test measures anaerobic power. The applicant must complete this test in 65 seconds

F. Station 6: Push-ups in 1 minute: The applicant must start from the "up" position. This test measures upper body dynamic strength and local muscular endurance. The applicant must complete at least 40 push-ups in a minute.

G. Station 7: 1.5 mile run: The applicant must run 1.5 miles within the time allotted. This test measures aerobic fitness and VO2 capacity. The standard time for this test is 14 minutes and 30 seconds.

H. Station 8: Air Squats: The applicant must perform 20 consecutive air squats. This test will measure core strength and anaerobic power.

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I. Station 9: Body Transport: The anthropometric dummy must be dragged or carried a distance of 15 feet. This test measures core strength and anaerobic power. Completion of Station 9 concludes the physical test.

403.10 SPECIAL RESPONSE TEAM FIREARMS PROFICIENCY TESTING

403.10.1 PURPOSE

The purpose of this policy is to provide guidelines for firearms testing of SRT members and potential team members.

403.10.2 POLICY

All Special Response Team members or potential team members will be required to successfully pass the firearms proficiency test once a year to remain an active member of the team. All potential team members will be required to pass the firearms proficiency test to be considered further for placement on the team.

403.10.3 THE ORDER

The firearms proficiency test will be administered once a year to all team members. Potential team members will be required to pass the same firearms proficiency test to be considered further for placement on the team.

403.10.4 QUALIFICATIONS

A. Qualification shall be according to the following criteria:

1. The officer must strike the target with 100% of the rounds required to be fired, and achieving a score of no less than 95 using the current ILEA approved course of fire.
2. Conducted with each officer firing the approved course no more than three times during each session, completing the session after qualifying.

B. Team members unable to attend the qualifying session due to sickness or injury shall do so at the earliest opportunity.

C. Team members unable to qualify on the first qualification session must return for a second session and successfully qualify. Team members who fail to qualify on the first qualification will be placed on inactive status until they qualify.

D. Team members who are unable to qualify on a second qualification session will be dropped from the team. This officer can reapply for any future openings the team may have.

E. Potential team members who fail to qualify on the first qualification session will no longer be considered for the current open team slot(s), but can reapply for any future team openings.

403.10.5 QUALIFICATION COURSE OF FIRE

The course of fire will be the ILEA pistol qualification course utilized to certify basic officers. However, it will be graded as pass/fail with a passing score of at least 95% of the total score and 100% of the rounds fired must strike the target..

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This will complete the Special Response Team Qualification Course.

403.11 NEGOTIATION TEAM ADMINISTRATIVE GUIDELINES

The negotiation team has been established to provide skilled verbal communicators who will attempt to de-escalate and effect surrender in critical situations where suspects have taken hostages or barricaded themselves or have suicidal tendencies.

The following procedures serve as directives for the administrative operation of the negotiation team.

403.11.1 SELECTION OF NEGOTIATION MEMBERS

The selection of negotiators will be evaluated by certain criteria, which includes, but not limited to:

- (a) Recognized competence and ability as evidenced by performance.
- (b) Demonstrated good judgment and understanding of the critical role of a negotiator and the negotiation process.
- (c) Effective communication skills.
- (d) Special skills, training or appropriate education as it pertains to the assignment.
- (e) Commitment to the SRT, realizing that the assignment may necessitate unusual working hours, conditions and training obligations.

403.11.2 NEGOTIATION TRAINING

Training shall be coordinated by the SRT Commander.

Negotiators will successfully complete an Indiana Law Enforcement Training Board approved crisis negotiator training.

Negotiators will participate in yearly training as scheduled by the SRT Commander.

Ride-Alongs

404.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for a ride-along with members of the West Lafayette Police Department. This policy provides the requirements, approval process, hours of operation and member responsibilities for ride-alongs.

404.2 POLICY

Ride-along opportunities will be provided to the members of the public to observe and experience, first-hand, various functions of the West Lafayette Police Department. The term “ride-along” includes riding as a passenger with an officer on patrol or observing the work day of members engaged in other functions within the Department, such as the Dispatch Center.

404.3 ELIGIBILITY

All persons interested in participating in a ride-along must be eighteen (18) years of age and older. Efforts will be made to accommodate all interested persons. However, any applicant may be disqualified without cause from participating.

404.4 REQUESTS TO PARTICIPATE

Requesting citizens must complete and submit a Participation, Waiver, and Indemnity Agreement, together with any other forms required by the department, with all the information blocks completed. This form must be filled out for each request. These forms will be available from a shift commander.

Completed requests must be turned in to the Chief's Office Monday – Friday, at least 24 hours prior to the date. Incomplete forms cannot be processed. The same person is limited to riding once in every two-month period. All requests must be approved by the Chief or designee, however the shift commander will have “ultimate veto power” of any rider before or during a ride-along, as outlined below. It shall be the responsibility of the shift commander to return all completed agreements to the Chief's office at the end of the tour of duty in which the rider participated.

The Captain of Patrol will schedule a date, based on availability, generally one week after the date of application. If approved, a copy of the waiver form will be forwarded to the appropriate division as soon as possible for scheduling considerations.

If the request is denied, a representative of this department will advise the applicant of the denial.

[See attachment: Citizen Ride Along 2016.pdf](#)

404.5 PROCEDURES

Once approved, ride-along applicants will be allowed to participate no more than once in every two month period. An exception may apply to the following law enforcement-involved participants:

- Volunteers
- Chaplains

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- Any others with approval of the Chief of Police

An effort will be made to ensure that no more than one member of the public will participate in a ride-along or job observation during any given time period. Normally, no more than one ride-along participant will be allowed in department vehicles at a given time.

404.5.1 CRIMINAL HISTORY CHECK

All ride-along applicants are subject to a criminal history check. The criminal history check must be completed/passed before being allowed to ride in the program. Information submitted must include: full name, current address, date of birth, and social security number.

404.5.2 SUITABLE ATTIRE

Any person approved to participate in a ride-along is required to be clean in appearance and suitably dressed in a collared shirt, blouse or jacket, slacks and shoes. Sandals, t-shirts, tank tops, shorts and ripped or torn pants are not permitted. Hats and ball caps will not be worn without the express consent of the Shift Supervisor. Shirts will be free of any print that would be demeaning or offensive to the public or members of the West Lafayette Police Department. The Shift Supervisor or a supervisor may refuse a ride-along to anyone who is not dressed appropriately.

404.6 MEMBER RESPONSIBILITIES

The assigned department member shall consider the safety of the ride-along or job observation participant at all times. The member shall maintain control over the participant and shall instruct the individual about the conditions that necessarily limit his/her participation. The Ride-Along Program will be presented by the assigned department member to all riders using a lesson plan format. Instructions should include:

- (a) The participant will follow the directions of the department member.
- (b) The participant will not become involved in any investigation, handling of evidence, discussions with victims or suspects, reading an individual's criminal history or other protected information, or handling any police department equipment. The rider is present only to observe the officer.
- (c) Participation may be terminated at any time by the member if the participant interferes with the performance of the member's duties.
 1. If the participant is on a ride-along, the member may return the participant to the point the ride originated.
- (d) Participants may be allowed to continue a ride-along during the transportation and booking process, provided it does not jeopardize their safety.
- (e) Members will not allow participants to be present in any location or situation that would jeopardize the participant's safety or cause undue stress or embarrassment to a victim or any other member of the public.

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- (f) Participants who are not law enforcement officers shall not be permitted to accompany the department member into a private residence without the express consent of the resident or other authorized person.
- (g) No rider will be permitted to carry a firearm. The only exception to this rule would be if the person requesting the ride-along is a full time certified law enforcement officer. The certified law enforcement officer must have arrest powers granted in accordance with state law or federal regulations.
- (h) Subjects participating in the Ride-Along Program are not granted access to confidential information, police records or police computer systems.

The member assigned to provide a ride-along shall advise the dispatcher that a ride-along participant is present in the vehicle before going into service. An officer with a ride-along participant should use sound discretion when encountering a potentially dangerous situation, if feasible, let the participant out of the vehicle in a well-lit public place. The dispatcher will be advised of the situation and as soon as practicable have another department member respond to pick up the participant at that location. The ride-along may be continued or terminated at this time.

Conduct by a person participating in a ride-along that results in termination of the ride, or is otherwise inappropriate, should be immediately reported to the Shift Supervisor.

Upon completion of the ride-along, the member shall return the waiver form to the Shift Supervisor.

Hazardous Material Response

405.1 PURPOSE AND SCOPE

Exposure to hazardous materials presents potential harm to department members and the public. This policy outlines the responsibilities of members who respond to these events and the factors that should be considered while on-scene, including the reporting of exposures and supervisor responsibilities.

405.1.1 DEFINITIONS

Definitions related to this policy include:

Hazardous material - A substance which, by its nature, containment or reactivity, has the capability of inflicting harm during exposure; characterized as being toxic, corrosive, flammable, reactive, an irritant or strong sensitizer and thereby posing a threat to health when improperly managed.

405.2 POLICY

It is the policy of the West Lafayette Police Department to respond to hazardous material emergencies with due regard for the safety of the public and those members responding to such incidents.

405.3 HAZARDOUS MATERIAL RESPONSE

Members may encounter situations involving suspected hazardous materials, such as at the scene of a traffic accident, chemical spill or fire. When members come into contact with a suspected hazardous material, they should take certain steps to protect themselves and other persons.

The fire department and TEMA are the agencies trained and equipped to properly respond and mitigate most incidents involving hazardous materials and biohazards.

Responders should not perform tasks or use equipment without proper training. A responder entering the area may require decontamination before he/she is allowed to leave the scene, and should be evaluated by appropriate technicians and emergency medical services personnel for signs of exposure.

405.4 CONSIDERATIONS

The following steps should be considered at any scene involving suspected hazardous materials:

- (a) Make the initial assessment of a potentially hazardous material from a safe distance.
- (b) Notify the Dispatch Center, appropriate supervisors, the appropriate fire department and hazardous response units.
 - 1. Provide weather conditions, wind direction, a suggested safe approach route and any other information pertinent to responder safety.
- (c) Wear personal protective gear, being cognizant that some hazardous material can be inhaled.

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- (d) Remain upwind, uphill and at a safe distance, maintaining awareness of weather and environmental conditions, until the material is identified and a process for handling has been determined.
- (e) Attempt to identify the type of hazardous material from a safe distance using optical aids (binoculars or spotting scopes) if they are available. Identification can be determined by:
 - 1. Placards or use of an emergency response guidebook.
 - 2. Driver's statements or shipping documents from the person transporting the material.
 - 3. Information obtained from any involved person with knowledge regarding the hazardous material. Information should include:
 - (a) The type of material.
 - (b) How to secure and contain the material.
 - (c) Any other information to protect the safety of those present, the community and the environment.
- (f) Provide first aid to injured parties if it can be done safely and without contamination.
- (g) Make reasonable efforts to secure the scene to prevent access from unauthorized individuals and to protect and identify any evidence.
- (h) Begin evacuation of the immediate and surrounding areas, dependent on the material. Voluntary evacuation should be considered; mandatory evacuation may be necessary and will depend on the type of material.
- (i) Establish a decontamination area when needed.
- (j) Activate automated community notification systems, if applicable.
- (k) Notify the Indiana Department of Environmental Management Hotline (327 IAC 2-6.1-1).

405.5 REPORTING EXPOSURE

Department members who believe they have been exposed to a hazardous material shall immediately report the exposure to a supervisor. Each exposure shall be documented by the member in an incident report that shall be forwarded via chain of command to the Shift Supervisor as soon as practicable. Should the affected member be unable to document the exposure for any reason, it shall be the responsibility of the notified supervisor to complete the report.

Injury or illness caused or believed to be caused by exposure to hazardous materials shall be reported the same as any other on-duty injury or illness, in addition to a crime report or incident report as applicable.

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405.5.1 SUPERVISOR RESPONSIBILITIES

When a supervisor has been informed that a member has been exposed to a hazardous material, he/she shall ensure that immediate medical treatment is obtained and appropriate action is taken to mitigate the exposure or continued exposure.

To ensure the safety of members, safety equipment is available from supervisors. Safety items not maintained by this department may be available through the appropriate fire department or emergency response team.

Hostage and Barricade Incidents

406.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for situations where officers have legal cause to contact, detain or arrest a person, and the person refuses to submit to the lawful requests of the officers by remaining in a structure or vehicle and/or by taking a hostage.

The scope of this policy is not intended to address all variables that officers encounter during their initial response or when a hostage or barricade situation has developed. This policy does not require or recommend specific strategies or tactics for resolution as each incident is a dynamic and rapidly evolving event.

406.1.1 DEFINITIONS

Definitions related to this policy include:

Barricade situation - An incident where a person maintains a position of cover or concealment and ignores or resists law enforcement personnel, and it is reasonable to believe the subject is armed with a dangerous or deadly weapon.

Hostage situation - An incident where it is reasonable to believe a person is:

- Unlawfully held by a hostage-taker as security so that specified terms or conditions will be met.
- Unlawfully held against his/her will under threat or actual use of force.

406.2 POLICY

It is the policy of the West Lafayette Police Department to address hostage and barricade situations with due regard for the preservation of life and balancing the risk of injury, while obtaining the safe release of hostages, apprehending offenders and securing available evidence.

406.3 COMMUNICATION

When circumstances permit, initial responding officers should try to establish and maintain lines of communication with a barricaded person or hostage-taker. Officers should attempt to identify any additional subjects, inquire about victims and injuries, seek the release of hostages, gather intelligence information, identify time-sensitive demands or conditions and obtain the suspect's surrender.

Department authorized negotiators should respond to the scene as soon as practicable and assume communication responsibilities. Negotiators are permitted to exercise flexibility in each situation based upon their training, the circumstances presented, suspect actions or demands, and the available resources.

406.4 FIRST RESPONDER CONSIDERATIONS

First responding officers should promptly and carefully evaluate all available information to determine whether an incident involves, or may later develop into, a hostage or barricade situation.

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Hostage and Barricade Incidents

The first responding officer should immediately request a supervisor's response as soon as it is determined that a hostage or barricade situation exists. The first responding officer shall assume the duties of the supervisor until relieved by a supervisor or a more qualified responder. The officer shall continually evaluate the situation, including the level of risk to officers, to the persons involved and to bystanders, and the resources currently available.

The handling officer should brief the arriving supervisor of the incident, including information about suspects and victims, the extent of any injuries, additional resources or equipment that may be needed, and current perimeters and evacuation areas.

406.4.1 BARRICADE SITUATION

Unless circumstances require otherwise, officers handling a barricade situation should attempt to avoid a forceful confrontation in favor of stabilizing the incident by establishing and maintaining lines of communication while awaiting the arrival of specialized personnel and trained negotiators. In the interim, the following options, while not all-inclusive or in any particular order, should be considered:

- (a) Ensure injured persons are evacuated from the immediate threat area if it is reasonably safe to do so.
- (b) Request medical assistance whether there are injured subjects or not.
- (c) Assign personnel to a contact/rapid response team to control the subject should he/she attempt to exit the building, structure or vehicle, and attack, use deadly force, attempt to escape or surrender prior to additional resources arriving.
- (d) Request additional personnel, resources and equipment as needed (e.g., canine team, air support).
- (e) Provide responding emergency personnel with a safe arrival route to the location.
- (f) Evacuate uninjured persons in the immediate threat area if it is reasonably safe to do so.
- (g) Attempt or obtain a line of communication and gather as much information on the subject as possible, including weapons, other involved parties, additional hazards or injuries.
- (h) Establish an inner and outer perimeter as circumstances require and resources permit to prevent unauthorized access.
- (i) Evacuate bystanders, residents and businesses within the inner and then outer perimeter as appropriate. Check for injuries, the presence of other involved subjects, witnesses, evidence or additional information.
- (j) Determine the need for and notify the appropriate persons within and outside the Department, such as command officers and the Public Information Officer.

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- (k) If necessary and available, establish a tactical or exclusive radio frequency for the incident.
- (l) Establish a command post.

406.4.2 HOSTAGE SITUATION

Officers presented with a hostage situation should attempt to avoid a forceful confrontation in favor of controlling the incident in anticipation of the arrival of specialized personnel and trained hostage negotiators. However, it is understood that hostage situations are dynamic and can require that officers react quickly to developing or changing threats. The following options, while not all-inclusive or in any particular order, should be considered:

- (a) Ensure injured persons are evacuated from the immediate threat area if it is reasonably safe to do so.
- (b) Request medical assistance whether there are injured subjects or not.
- (c) Assign personnel to a contact team to control the subject should he/she attempt to exit the building, structure or vehicle, and attack, use deadly force, attempt to escape or surrender prior to additional resources arriving.
- (d) Establish a rapid response team in the event it becomes necessary to rapidly enter a building, structure or vehicle, such as when the suspect is using deadly force against any hostages (see the Rapid Response and Deployment Policy).
- (e) Assist hostages or potential hostages to escape if it is reasonably safe to do so. Hostages should be kept separated, if practicable, pending further interview.
- (f) Request additional personnel, resources and equipment as needed (e.g., canine team, air support).
- (g) Provide responding emergency personnel with a safe arrival route to the location.
- (h) Evacuate uninjured persons in the immediate threat area if it is reasonably safe to do so.
- (i) Coordinate pursuit or surveillance vehicles and control of travel routes.
- (j) Attempt to obtain a line of communication and gather as much information about the suspect as possible, including any weapons, victims and their injuries, additional hazards, other involved parties and any other relevant intelligence information.
- (k) Establish an inner and outer perimeter as resources and circumstances permit to prevent unauthorized access.
- (l) Evacuate bystanders, residents and businesses within the inner and then outer perimeter as appropriate. Check for injuries, the presence of other involved subjects, witnesses, evidence or additional information.

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- (m) Determine the need for and notify the appropriate persons within and outside the Department, such as command officers and the Public Information Officer (PIO).
- (n) If necessary and available, establish a tactical or exclusive radio frequency for the incident.

406.5 SUPERVISOR RESPONSIBILITIES

Upon being notified that a hostage or barricade situation exists, the supervisor should immediately respond to the scene, assess the risk level of the situation, establish a proper chain of command and assume the role of Incident Commander until properly relieved. This includes requesting Special Response Team (SRT) response if appropriate and apprising the SRT Commander of the circumstances. In addition, the following options, listed here in no particular order, should be considered:

- (a) Ensure injured persons are evacuated and treated by medical personnel.
- (b) Ensure the completion of necessary first responder responsibilities or assignments.
- (c) Request crisis negotiators, specialized assignment members, additional department members, resources or equipment as appropriate.
- (d) Establish a command post location as resources and circumstances permit.
- (e) Designate assistants who can help with intelligence information and documentation of the incident.
- (f) Consider contacting utility and communication providers when restricting such services (e.g., electric power, gas, telephone service).
- (g) Ensure adequate law enforcement coverage for the remainder of the City during the incident. The supervisor should direct nonessential personnel away from the scene unless they have been summoned by the supervisor or the Dispatch Center.
- (h) Identify a media staging area outside the outer perimeter and have the department PIO or a designated temporary media representative provide media access in accordance with the Media Relations Policy.
- (i) Identify the need for mutual aid and the transition or relief of personnel for incidents of extended duration.
- (j) Debrief personnel and review documentation as appropriate.

406.6 SRT RESPONSIBILITIES

It will be the SRT Commander's decision, with input from the Incident Commander, whether to deploy the SRT during a hostage or barricade situation. Once the SRT Commander authorizes deployment, the SRT Commander or the authorized designee will be responsible for the tactical response and negotiations. The Incident Commander shall continue to supervise the command post operation, outer perimeter security, evacuation and media access, and will support the SRT.

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The Incident Commander and the SRT Commander or the authorized designees shall maintain direct communications at all times.

Response to Bomb Calls

407.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to assist members of the West Lafayette Police Department in their initial response to incidents involving explosives, explosive devices, explosion/bombing incidents or threats of such incidents. Under no circumstances should these guidelines be interpreted as compromising the safety of first responders or the public. When confronted with an incident involving explosives, safety should always be the primary consideration.

407.2 POLICY

It is the policy of the West Lafayette Police Department to place a higher priority on the safety of persons and the public over damage or destruction to public or private property.

407.3 RECEIPT OF BOMB THREAT

Department members receiving a bomb threat should obtain as much information from the individual as reasonably possible, including the type, placement and alleged detonation time of the device.

If the bomb threat is received on a recorded line, reasonable steps should be taken to ensure that the recording is preserved in accordance with established department evidence procedures.

The member receiving the bomb threat should ensure that the Shift Supervisor is immediately advised and informed of the details. This will enable the Shift Supervisor to ensure that the appropriate personnel are dispatched, and, as appropriate, the threatened location is given an advance warning.

Dispatch Police Officers and Firemen as needed for the situation. When dispatching units to the scene of a Bomb Threat, refer to the call as a "10-89". Do not refer to it as "Bomb Threat". The words "Bomb Threat" should not be spoken over the radio in any conversations.

407.4 RECEIVING A BOMB THREAT

When a member of this department receives notification of a bomb threat at a location in the City of West Lafayette, the member receiving the notification should obtain as much information as reasonably possible from the notifying individual, including:

- (a) The location
- (b) The nature of the threat.
- (c) Whether the type and detonation time of the device is known.
- (d) Whether the location is, or going to be occupied, and if so, the number of occupants currently on-scene.
- (e) Whether the individual is requesting police assistance at the facility.
- (f) Whether there are any internal facility procedures regarding bomb threats in place, such as:

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1. No evacuation of personnel and no search for a device.
2. Search for a device without evacuation of personnel.
3. Evacuation of personnel without a search for a device.
4. Evacuation of personnel and a search for a device.

The member receiving the bomb threat information should ensure that the Shift Supervisor is immediately notified so that he/she can communicate with the person in charge of the threatened location.

407.4.1 QUESTIONS OF THE REPORTING PARTY

Record the exact wording of the threat.

1. Ask the following questions: (Chances are they won't respond, but the longer you keep them on the line, the more information you'll obtain).

- a) When is the bomb set to explode?
- b) Where is the bomb located right now?
- c) What does the bomb look like?
- d) What kind of bomb is it?
- e) What will cause the bomb to explode?
- f) Who placed the bombs?
- g) Why did the bombs get placed?
- h) What is your address?
- i) What is your name?

2. Attempt to profile the caller by listening to their voice and speech patterns. Try to determine age, race, and sex. Try to distinguish accents, cracking voice, slurred speech, nasal tone, lisping, stuttering, excited, calm, angry, or disguised.

3. Be alert for background noises that may identify the location of the caller.

4. Try to keep the caller on the line as long as possible, attempt to contact the phone company and establish tracing procedures.

407.5 GOVERNMENT FACILITY OR PROPERTY

A bomb threat targeting a government facility may require a different response based on the government agency.

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407.5.1 WEST LAFAYETTE POLICE DEPARTMENT FACILITY

If the bomb threat is against the West Lafayette Police Department facility, the Shift Supervisor will direct and assign officers as required for coordinating a general building search or evacuation of the police department, as he/she deems appropriate.

407.5.2 OTHER COUNTY OR MUNICIPAL FACILITY OR PROPERTY

If the bomb threat is against a county or municipal facility within the jurisdiction of the West Lafayette Police Department that is not the property of this department, the appropriate agency will be promptly informed of the threat. Assistance to the other entity may be provided as the Shift Supervisor deems appropriate.

407.5.3 FEDERAL BUILDING OR PROPERTY

If the bomb threat is against a federal building or property, the Federal Protective Service should be immediately notified. The Federal Protective Service provides a uniformed law enforcement response for most facilities, which may include use of its Explosive Detector Dog teams.

If the bomb threat is against a federal government property where the Federal Protective Service is unable to provide a timely response, the appropriate facility's security or command staff should be notified.

Bomb threats against a military installation should be reported to the military police or other military security responsible for the installation.

407.6 FOUND DEVICE

When handling an incident involving a suspected explosive device, the following guidelines, while not all inclusive, should be followed:

- (a) No known or suspected explosive item should be considered safe regardless of its size or apparent packaging.
- (b) The device should not be touched or moved except by the bomb squad or military explosive ordnance disposal team.
- (c) Personnel should not transmit on any equipment that is capable of producing radio frequency energy within the evacuation area around the suspected device. This includes the following:
 - 1. Two-way radios
 - 2. Cell phones
 - 3. Other personal communication devices
- (d) A bomb squad should be summoned for assistance.
- (e) The largest perimeter reasonably possible should initially be established around the device based upon available personnel and the anticipated danger zone. This should be coordinated with the bomb squad.

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- (f) A safe access route and staging area should be provided for support personnel and equipment.
- (g) Search the area for secondary devices as appropriate and based upon available resources.
- (h) Consider evacuation of buildings and personnel near the device or inside the danger zone and the safest exit route.
- (i) Promptly relay available information to the Shift Supervisor including:
 - 1. The time of discovery.
 - 2. The exact location of the device.
 - 3. A full description of the device (e.g., size, shape, markings, construction).
 - 4. The anticipated danger zone and perimeter.
 - 5. The areas to be evacuated or cleared.

407.7 EXPLOSION/BOMBING INCIDENTS

When an explosion has occurred, there are multitudes of considerations which may confront the responding officers. As in other catastrophic events, a rapid response may help to minimize injury to victims, contamination of the scene by gathering crowds or any additional damage from fires or unstable structures.

407.7.1 CONSIDERATIONS

Officers responding to explosions, whether accidental or a criminal act, should consider the following actions:

- (a) Assess the scope of the incident, including the number of victims and extent of injuries.
- (b) Request additional personnel and resources, as appropriate.
- (c) Assist with first aid.
- (d) Identify and take appropriate precautions to mitigate scene hazards, such as collapsed structures, bloodborne pathogens and hazardous materials.
- (e) Assist with the safe evacuation of victims, if possible.
- (f) Establish an inner perimeter to include entry points and evacuation routes. Search for additional or secondary devices.
- (g) Preserve evidence.
- (h) Establish an outer perimeter and evacuate if necessary.
- (i) Identify witnesses.

407.7.2 NOTIFICATIONS

When an explosion has occurred, the following people should be notified as appropriate:

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- Fire department
- Bomb squad
- Additional department personnel, such as investigators and crime scene technicians
- Shift Supervisor
- Other law enforcement agencies, including local, state or federal agencies, such as the FBI and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)
- Other government agencies, as appropriate

407.8 CROWD CONTROL

Only authorized members with a legitimate need should be permitted access to the scene. Spectators and other unauthorized individuals should be restricted to a safe distance as is reasonably practicable given the available resources and personnel.

407.8.1 PRESERVATION OF EVIDENCE

As in any other crime scene, steps should immediately be taken to preserve the scene. The Shift Supervisor should assign officers to protect the crime scene area, which could extend over a long distance. Consideration should be given to the fact that evidence may be embedded in nearby structures or hanging in trees and bushes.

Crisis Intervention Incidents

408.1 PURPOSE AND SCOPE

This policy provides guidelines for interacting with those who may be experiencing a mental health or emotional crisis. Interaction with such individuals has the potential for miscommunication and violence. It often requires an officer to make difficult judgments about a person's mental state and intent in order to effectively and legally interact with the individual.

408.1.1 DEFINITIONS

Definitions related to this policy include:

Person in crisis - A person whose level of distress or mental health symptoms have exceeded the person's internal ability to manage his/her behavior or emotions. A crisis can be precipitated by any number of things, including an increase in the symptoms of mental illness despite treatment compliance; noncompliance with treatment, including a failure to take prescribed medications appropriately; or any other circumstance or event that causes the person to engage in erratic, disruptive or dangerous behavior that may be accompanied by impaired judgment.

408.2 POLICY

The West Lafayette Police Department is committed to providing a consistently high level of service to all members of the community and recognizes that persons in crisis may benefit from intervention. The Department will collaborate, where feasible, with mental health professionals to develop an overall intervention strategy to guide its members' interactions with those experiencing a mental health crisis. This is to ensure equitable and safe treatment of all involved.

408.3 SIGNS

Members should be alert to any of the following possible signs of mental health issues or crises:

- (a) A known history of mental illness
- (b) Threats of or attempted suicide
- (c) Loss of memory
- (d) Incoherence, disorientation or slow response
- (e) Delusions, hallucinations, perceptions unrelated to reality or grandiose ideas
- (f) Depression, pronounced feelings of hopelessness or uselessness, extreme sadness or guilt
- (g) Social withdrawal
- (h) Manic or impulsive behavior, extreme agitation or lack of control
- (i) Lack of fear
- (j) Anxiety, aggression, rigidity, inflexibility or paranoia

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Members should be aware that this list is not exhaustive. The presence or absence of any of these signs should not be treated as proof of the presence or absence of a mental health issue or crisis.

408.4 COORDINATION WITH MENTAL HEALTH PROFESSIONALS

The Chief of Police should designate an appropriate officer to collaborate with mental health professionals to develop an education and response protocol. It should include a list of community resources to guide department interaction with those who may be suffering from mental illness or who appear to be in a mental health crisis.

408.4.1 CRISIS INTERVENTION TEAMS

The designated officer should coordinate department participation with any local crisis intervention team (CIT), including, as reasonable, identifying CIT-trained officers and incorporating information from the Indiana technical assistance center for CITs into department procedures as appropriate (I.C. § 5-2-21.2-1; I.C. § 5-2-21.2-2; I.C. § 5-2-21.2-6).

408.5 FIRST RESPONDERS

Safety is a priority for first responders. It is important to recognize that individuals under the influence of alcohol, drugs or both may exhibit symptoms that are similar to those of a person in a mental health crisis. These individuals may still present a serious threat to officers; such a threat should be addressed with reasonable tactics. Nothing in this policy shall be construed to limit an officer's authority to use reasonable force when interacting with a person in crisis.

Officers are reminded that mental health issues, mental health crises and unusual behavior are not criminal offenses. Individuals may benefit from treatment as opposed to incarceration.

An officer responding to a call involving a person in crisis should:

- (a) Promptly assess the situation independent of reported information and make a preliminary determination regarding whether a mental health crisis may be a factor.
- (b) Request available backup officers and specialized resources as deemed necessary and, if it is reasonably believed that the person is in a crisis situation, use conflict resolution and de-escalation techniques to stabilize the incident as appropriate.
- (c) If feasible, and without compromising safety, turn off flashing lights, bright lights or sirens.
- (d) Attempt to determine if weapons are present or available.
- (e) Take into account the person's mental and emotional state and potential inability to understand commands or to appreciate the consequences of his/her action or inaction, as perceived by the officer.
- (f) Secure the scene and clear the immediate area as necessary.
- (g) Employ tactics to preserve the safety of all participants.
- (h) Determine the nature of any crime.

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- (i) Request a supervisor, as warranted.
- (j) Evaluate any available information that might assist in determining cause or motivation for the person's actions or stated intentions.
- (k) If circumstances reasonably permit, consider and employ alternatives to force.

408.6 DE-ESCALATION

Officers should consider that taking no action or passively monitoring the situation may be the most reasonable response to a mental health crisis.

Once it is determined that a situation is a mental health crisis and immediate safety concerns have been addressed, responding members should be aware of the following considerations and should generally:

- Evaluate safety conditions.
- Introduce themselves and attempt to obtain the person's name.
- Be patient, polite, calm and courteous and avoid overreacting.
- Speak and move slowly and in a non-threatening manner.
- Remove distractions or disruptive people from the area.
- Demonstrate active listening skills (i.e., summarize the person's verbal communication).
- Provide for sufficient avenues of retreat or escape should the situation become volatile.

Responding officers generally should not:

- Use stances or tactics that can be interpreted as aggressive.
- Allow others to interrupt or engage the person.
- Corner a person who is not believed to be armed, violent or suicidal.
- Argue, speak with a raised voice or use threats to obtain compliance.

408.7 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to the scene of any interaction with a person in crisis. Responding supervisors should:

- (a) Attempt to secure appropriate and sufficient resources.
- (b) Closely monitor any use of force, including the use of restraints, and ensure that those subjected to the use of force are provided with timely access to medical care (see the Handcuffing and Restraints Policy).
- (c) Absent an imminent threat to the public, consider strategic disengagement. This may include removing or reducing law enforcement resources or engaging in passive monitoring.

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- (d) Ensure that all reports are completed and that incident documentation uses appropriate terminology and language.

408.8 INCIDENT REPORTING

Members engaging in any oral or written communication associated with a mental health crisis should be mindful of the sensitive nature of such communications and should exercise appropriate discretion when referring to or describing persons and circumstances.

Members having contact with a person in crisis should keep related information confidential, except to the extent that revealing information is necessary to conform to department reporting procedures or other official mental health or medical proceedings.

408.9 SEIZURE OF FIREARMS

An officer may seize a firearm from a person determined to be dangerous. The seizure may occur with or without a warrant (I.C. § 35-47-14-2).

A dangerous person is a person who, for the purposes of these seizures only, (I.C. § 35-47-14-1):

- (a) Presents an imminent risk of personal injury to the person or others.
- (b) May present a risk of personal injury to the person or others in the future and the person:
 - 1. Has a mental illness as defined in I.C. § 12-7-2-130 that may be controlled by medication, and has not demonstrated a pattern of voluntarily and consistently taking the person's medication while not under supervision.
 - 2. Is the subject of documented evidence that would give rise to a reasonable belief that the person has a propensity for violent or emotionally unstable conduct.

Having been recently released from a mental health facility or having a mental illness that is currently controlled by medication does not establish that the individual is dangerous.

A firearm seized without a warrant under these circumstances requires the officer to submit to the circuit or superior court having jurisdiction over the individual believed to be dangerous, a written statement under oath or affirmation describing the basis for the belief that the individual is dangerous (I.C. § 35-47-14-3).

An officer is not authorized to perform a warrantless search or seizure if a warrant would otherwise be required.

408.10 TRAINING

In coordination with the mental health community and appropriate stakeholders, the Department will develop and provide comprehensive education and training to all department members to enable them to effectively interact with persons in crisis (I.C. § 5-2-1-9).

Involuntary Detentions

409.1 PURPOSE AND SCOPE

This policy provides guidelines for when officers may place a person under involuntary detention.

409.1.1 DEFINITIONS

Definitions related to this policy include:

Immediate detention - When an individual is involuntarily detained by an officer for immediate hospitalization as provided in I.C. § 12-26-4-1.

Involuntary detention - Includes both immediate and emergency detentions.

Emergency detention - When an individual is involuntarily detained pursuant to a court approved petition under I.C. § 12-26-5-1.

409.2 POLICY

It is the policy of the West Lafayette Police Department to protect the public and individuals through legal and appropriate use of the involuntary detention process.

409.3 AUTHORITY

An officer may take an individual in

- (a) There are reasonable grounds to believe that an individual has a mental illness, is either dangerous or gravely disabled, and is in immediate need of hospitalization and treatment (I.C. § 12-26-4-1).
- (b) Pursuant to a court order (I.C. § 12-26-4-1.5).
- (c) Where an emergency detention petition is approved by a judge (I.C. § 12-26-5-2).

409.3.1 VOLUNTARY EVALUATION

If an officer encounters an individual who may qualify for an involuntary detention, they may inquire as to whether the person desires to be voluntarily evaluated at an appropriate facility. If the person so desires, the officer should:

- (a) Transport the person to an appropriate facility that is able to conduct the evaluation and admit the person.
- (b) If at any point the person changes his/her mind regarding voluntary evaluation, the officers should proceed with the involuntary immediate detention, if appropriate (I.C. § 12-26-4-1).
- (c) Document the circumstances surrounding the individual's desire to pursue voluntary evaluation and/or admission.

409.4 CONSIDERATIONS AND RESPONSIBILITIES

Any officer handling a call involving a person who may qualify for involuntary immediate detention should consider, as time and circumstances reasonably permit:

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- (a) Available information that might assist in determining the possible cause and nature of the person's action or stated intentions.
- (b) Conflict resolution and de-escalation techniques.
- (c) Community or other resources that may be readily available to assist with mental health issues.

While these steps are encouraged, nothing in this section is intended to dissuade officers from taking reasonable action to ensure the safety of the officers and others.

Involuntary detentions should be preferred over arrest for people who have mental health issues and are suspected of committing minor crimes or creating other public safety issues.

409.5 TRANSPORTATION

When transporting any individual for involuntary detention, the transporting officer should have the Dispatch Center notify the receiving facility of the estimated time of arrival, the level of cooperation of the individual and whether any special medical care is needed. Officers may transport individuals in the patrol unit and shall secure them in accordance with the Handcuffing and Restraints Policy.

409.6 TRANSFER TO APPROPRIATE FACILITY

Upon arrival at the facility, the officer will escort the individual into a treatment area designated by a facility staff member. If the individual is not seeking treatment voluntarily, the officer should provide the staff member with information containing the basis for the officer's belief the person qualifies for involuntary detention and remain present to provide clarification of the grounds for detention, upon request.

409.7 CRIMINAL OFFENSES

Officers investigating an individual who is suspected of committing a minor criminal offense and who is being taken into custody on an involuntary detention should resolve the criminal matter by issuing a summons and promise to appear in court, as appropriate.

When an individual who may qualify for an involuntary detention has committed a serious criminal offense that would normally result in an arrest and transfer to a jail facility, the officer should:

- (a) Arrest the individual when there is probable cause to do so.
- (b) Notify the appropriate supervisor of the facts supporting the arrest and the facts that would support the involuntary detention.
- (c) Thoroughly document in the related reports the circumstances that indicate the individual may qualify for an involuntary detention.

In the supervisor's judgment, the individual may be arrested or booked and transported to the appropriate mental health facility. The supervisor should consider the seriousness of the offense, the treatment options available, the ability of this department to regain custody of the individual, department resources (e.g., posting a guard) and other relevant factors in making this decision.

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409.8 FIREARMS AND OTHER WEAPONS

Whenever a person is taken into custody for an involuntary detention, the handling officers should seek to determine if the individual owns or has access to any firearm or other deadly weapon.

Officers should consider whether it is appropriate and consistent with current search and seizure law under the circumstances to seize any such firearms or other dangerous weapons (e.g., safekeeping, evidence, consent). A firearm may be seized under I.C. § 35-47-14-3 if the officer believes the person presents an imminent risk of personal injury to him/herself or another and the officer submits to the circuit or superior court having jurisdiction over the person a written statement under oath or affirmation describing the basis for the belief that the person is dangerous.

Officers are cautioned that a search warrant may be needed before entering a residence or other place to search, unless lawful warrantless entry has already been made (e.g., exigent circumstances, consent). A warrant may also be needed before searching for or seizing weapons.

The handling officer should further advise the person of the procedure for the return of any firearm or other weapon that has been taken into custody.

409.9 TRAINING

This department will provide department-approved training on interaction with mentally ill persons, involuntary detentions and crisis intervention (I.C. § 5-2-1-9(g)).

Summons and Release

410.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of the West Lafayette Police Department with guidance on when to release adults who are suspected offenders on a summons and promise to appear in court for a criminal offense, rather than having the person held in custody for a court appearance or released on bail.

Additional release restrictions may apply to those detained for domestic violence.

410.2 POLICY

The West Lafayette Police Department will consider its resources and its mission of protecting the community when exercising any discretion to release suspected offenders on a summons and promise to appear in court, when authorized to do so.

410.3 RELEASE

In most cases, officers may choose to issue a summons to appear in lieu of physical arrest for misdemeanor offenses (I.C. § 35-33-4-1; I.C. § 9-30-2-5) except when the offender is:

- (a) Arrested for operating a vehicle while intoxicated (OWI).
- (b) Not an Indiana resident and is arrested for a misdemeanor that regulates the use and operation of a motor vehicle.

410.4 PROHIBITIONS

The release of a suspected offender on a summons and promise to appear in court is not permitted when:

- (a) The person is arrested for a felony (I.C. § 35-33-4-1(f)).
- (b) The person is arrested for a motor vehicle misdemeanor, except for OWI, when the person (I.C. § 9-30-2-4):
 - 1. Is charged with an offense of causing or contributing to an accident resulting in injury to, or death of, another person.
 - 2. Is charged with failure to stop for an accident causing death, personal injuries or damage to property.

410.5 CONSIDERATIONS

In determining whether to release a person on a summons and promise to appear in court when discretion is permitted, officers should consider:

- (a) The Tippecanoe Local Rules of Court.
- (b) The type of offense committed.
- (c) The known criminal history of the suspected offender.
- (d) The ability to identify the suspected offender with reasonable certainty.

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- (e) Whether there is any record of the person failing to appear in previous cases or there are other articulable indications that the person may not appear in court for this offense.
- (f) The person's ties to the area, such as residence, employment or family.
- (g) Whether there is reasonable likelihood that criminal conduct by the person will continue.

Foreign Diplomatic and Consular Representatives

411.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that members of the West Lafayette Police Department extend appropriate privileges and immunities to foreign diplomatic and consular representatives in accordance with international law.

411.2 POLICY

The West Lafayette Police Department respects international laws related to the special privileges and immunities afforded foreign diplomatic and consular representatives assigned to the United States.

All foreign diplomatic and consular representatives shall be treated with respect and courtesy, regardless of any privileges or immunities afforded them.

411.3 CLAIMS OF IMMUNITY

If a member comes into contact with a person where law enforcement action may be warranted and the person claims diplomatic or consular privileges and immunities, the member should, without delay:

- (a) Notify a supervisor.
- (b) Advise the person that his/her claim will be investigated and he/she may be released in accordance with the law upon confirmation of the person's status.
- (c) Request the person's identification card, either issued by the U.S. Department of State (DOS), Office of the Chief of Protocol, or in the case of persons accredited to the United Nations, by the U.S. Mission to the United Nations. These are the only reliable documents for purposes of determining privileges and immunities.
- (d) Contact the DOS Diplomatic Security Command Center at 571-345-3146 or toll-free at 866-217-2089, or at another current telephone number, and inform the center of the circumstances.
- (e) Verify the immunity status with DOS and follow any instructions regarding further detention, arrest, prosecution and/or release, as indicated by the DOS representative. This may require immediate release, even if a crime has been committed.

Identity or immunity status should not be presumed from the type of license plates displayed on a vehicle. If there is a question as to the status or the legitimate possession of a Diplomat or Consul license plate, a query should be run via the National Law Enforcement Telecommunications System (NLETS), designating "US" as the state.

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411.4 ENFORCEMENT ACTION

If the DOS is not immediately available for consultation regarding law enforcement action, members shall be aware of the following:

- (a) Generally, all persons with diplomatic and consular privileges and immunities may be issued a citation or notice to appear. However, the person may not be compelled to sign the citation.
- (b) All persons, even those with a valid privilege or immunity, may be reasonably restrained in exigent circumstances for purposes of self-defense, public safety or the prevention of serious criminal acts.
- (c) An impaired foreign diplomatic or consular representative may be prevented from driving a vehicle, even if the person may not be arrested due to privileges and immunities.
 - 1. Investigations, including the request for field sobriety tests, chemical tests and any other tests regarding impaired driving may proceed but they shall not be compelled.
- (d) The following persons may not be detained or arrested, and any property or vehicle owned by these persons may not be searched or seized:
 - 1. Diplomatic-level staff of missions to international organizations and recognized family members
 - 2. Diplomatic agents and recognized family members
 - 3. Members of administrative and technical staff of a diplomatic mission and recognized family members
 - 4. Career consular officers, unless the person is the subject of a felony warrant
- (e) The following persons may generally be detained and arrested:
 - 1. International organization staff; however, some senior officers are entitled to the same treatment as diplomatic agents
 - 2. Support staff of missions to international organizations
 - 3. Diplomatic service staff and consular employees; however, special bilateral agreements may exclude employees of certain foreign countries
 - 4. Honorary consular officers

411.5 DOCUMENTATION

All contacts with persons who have claimed privileges and immunities afforded foreign diplomatic and consular representatives should be thoroughly documented and the related reports forwarded to DOS.

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411.6 DIPLOMATIC IMMUNITY

Reference table on diplomatic immunity:

Category	Arrested or Detained	Enter Residence Subject to Ordinary Procedures	Issued Traffic Citation	Subpoenaed as Witness	Prosecuted	Recognized Family Members
Diplomatic Agent	No (note (b))	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
Member of Admin and Tech Staff	No (note (b))	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
Service Staff	Yes (note (a))	Yes	Yes	Yes	No for official acts. Yes otherwise (note (a))	No immunity or inviolability (note (a))
Career Consul Officer	Yes if for a felony and pursuant to a warrant (note (a))	Yes (note (d))	Yes	No for official acts Testimony may not be compelled in any case	No for official acts Yes otherwise (note (a))	No immunity or inviolability
Honorable Consul Officer	Yes	Yes	Yes	No for official acts Yes otherwise	No for official acts Yes otherwise	No immunity or inviolability
Consulate Employees	Yes (note (a))	Yes	Yes	No for official acts Yes otherwise	No for official acts Yes otherwise (note (a))	No immunity or inviolability (note (a))
Int'l Org Staff (note (b))	Yes (note (c))	Yes (note (c))	Yes	Yes (note (c))	No for official acts Yes otherwise (note (c))	No immunity or inviolability

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Diplomatic-Level Staff of Missions to Int'l Orgs	No (note (b))	No	Yes	No	No	Same as sponsor (full immunity and inviolability)
Support Staff of Missions to Int'l Orgs	Yes	Yes	Yes	Yes	No for official acts Yes otherwise	No immunity or inviolability

Notes for diplomatic immunity table:

- (a) This table represents general rules. The employees of certain foreign countries may enjoy higher levels of privileges and immunities on the basis of special bilateral agreements.
- (b) Reasonable constraints, however, may be applied in emergency circumstances involving self-defense, public safety or the prevention of serious criminal acts.
- (c) A small number of senior officers are entitled to be treated identically to diplomatic agents.
- (d) Note that consul residences are sometimes located within the official consular premises. In such cases, only the official office space is protected from police entry.

Active Shooter/Rapid Response and Deployment

412.1 PURPOSE AND SCOPE

Violence that is committed in schools, workplaces and other locations by individuals or a group of individuals who are determined to target and kill persons and to create mass casualties presents a difficult situation for law enforcement. The purpose of this policy is to identify guidelines and factors that will assist officers in situations that call for rapid response and deployment.

412.2 POLICY

The West Lafayette Police Department will endeavor to plan for rapid response to crisis situations, and to coordinate response planning with other emergency services as well as with those who are responsible for operating sites that may be the target of a critical incident.

Nothing in this policy shall preclude the use of reasonable force, deadly or otherwise, by members of the Department in protecting themselves or others from death or serious injury.

412.3 CONSIDERATIONS

When dealing with a crisis situation members should:

- (a) Assess the immediate situation and take reasonable steps to maintain operative control of the incident.
- (b) Obtain, explore and analyze sources of intelligence and known information regarding the circumstances, location and suspect involved in the incident.
- (c) Attempt to attain a tactical advantage over the suspect by reducing, preventing or eliminating any known or perceived threat.
- (d) Attempt, if feasible and based upon the suspect's actions and danger to others, a negotiated surrender of the suspect and release of the hostages.

412.4 FIRST RESPONSE

If there is a reasonable belief that acts or threats by a suspect are placing lives in imminent danger, first responding officers should consider reasonable options to reduce, prevent or eliminate the threat. Officers must decide, often under a multitude of difficult and rapidly evolving circumstances, whether to advance on the suspect, take other actions to deal with the threat or wait for additional resources.

If a suspect is actively engaged in the infliction of serious bodily harm or other life-threatening activity toward others, officers should take immediate action, if reasonably possible, while requesting additional assistance.

Officers should remain aware of the possibility that an incident may be part of a coordinated multi-location attack that may require some capacity to respond to incidents at other locations.

When deciding on a course of action officers should consider:

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- (a) Whether to advance on or engage a suspect who is still a possible or perceived threat to others. Any advancement or engagement should be based on information known or received at the time.
- (b) Whether to wait for additional resources or personnel. This does not preclude an individual officer from taking immediate action.
- (c) Whether individuals who are under imminent threat can be moved or evacuated with reasonable safety.
- (d) Whether the suspect can be contained or denied access to victims.
- (e) Whether the officers have the ability to effectively communicate with other personnel or resources.
- (f) Whether planned tactics can be effectively deployed.
- (g) The availability of rifles, shotguns, shields, breaching tools, control devices and any other appropriate tools, and whether the deployment of these tools will provide a tactical advantage.

In the case of a barricaded or trapped suspect, with no hostages and no immediate threat to others, officers should consider covering escape routes and evacuating persons as appropriate, while summoning and waiting for additional assistance (e.g., special tactics and/or hostage negotiation team response).

412.5 PLANNING

The Patrol Commander should coordinate critical incident planning. Planning efforts should consider:

- (a) Identification of likely critical incident target sites, such as schools, shopping centers, entertainment venues and sporting event venues.
- (b) Availability of building plans and venue schematics of likely critical incident target sites.
- (c) Communications interoperability with other law enforcement and emergency service agencies.
- (d) Training opportunities in critical incident target sites, including joint training with site occupants.
- (e) Evacuation routes in critical incident target sites.
- (f) Patrol first-response training.
- (g) Response coordination and resources of emergency medical and fire services.
- (h) Equipment needs.
- (i) Mutual aid agreements with other agencies.
- (j) Coordination with private security providers in critical incident target sites.

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412.6 TRAINING

The Training Officer should include rapid response to critical incidents in the training plan. This training should address:

- (a) Orientation to likely critical incident target sites, such as schools, shopping centers, entertainment venues and sporting event venues.
- (b) Communications interoperability with other law enforcement and emergency service agencies.
- (c) Patrol first-response training, including patrol rifle, shotgun, breaching tool and control device training.
- (d) First aid, including gunshot trauma.
- (e) Reality-based scenario training (e.g., active shooter, disgruntled violent worker).

Immigration Violations

413.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to members of the West Lafayette Police Department relating to immigration and interacting with federal immigration officials.

413.2 POLICY

It is the policy of the West Lafayette Police Department that all members make personal and professional commitments to equal enforcement of the law and equal service to the public. Confidence in this commitment will increase the effectiveness of this department in protecting and serving the entire community and recognizing the dignity of all persons, regardless of their national origin or immigration status.

413.3 VICTIMS AND WITNESSES

To encourage crime reporting and cooperation in the investigation of criminal activity, all individuals, regardless of their immigration status, must feel secure that contacting or being addressed by members of law enforcement will not automatically lead to immigration inquiry and/or deportation. While it may be necessary to determine the identity of a victim or witness, members shall treat all individuals equally and not in any way that would violate the United States or Indiana constitutions (I.C. § 5-2-18.2-8).

An officer may not request verification of the citizenship or immigration status of an individual from federal immigration authorities if the individual is only reporting a crime or is a victim or witness to a crime (I.C. § 5-2-20-3).

413.4 DETENTIONS

An officer should not detain any individual, for any length of time, for a civil violation of federal immigration laws or a related civil warrant.

An officer who has a reasonable suspicion that an individual already lawfully contacted or detained has committed a criminal violation of federal immigration law may detain the person for a reasonable period of time in order to contact federal immigration officials to verify whether an immigration violation is a federal civil violation or a criminal violation. If the violation is a criminal violation, the officer may continue to detain the person for a reasonable period of time if requested by federal immigration officials (8 USC § 1357(g)(10)). No individual who is otherwise ready to be released should continue to be detained only because questions about the individual's status are unresolved.

If the officer has facts that establish probable cause to believe that a person already lawfully detained has committed a criminal immigration offense, he/she may continue the detention and may request a federal immigration official to respond to the location to take custody of the detained person (8 USC § 1357(g)(10)).

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An officer is encouraged to forgo detentions made solely on the basis of a misdemeanor offense when time limitations, availability of personnel, issues of officer safety, communication capabilities, or the potential to obstruct a separate investigation outweigh the need for the detention.

An officer should notify a supervisor as soon as practicable whenever an individual is being detained for a criminal immigration violation.

413.4.1 CIVIL VS. CRIMINAL FEDERAL OFFENSES

An individual who enters into the United States illegally has committed a misdemeanor (8 USC § 1325(a)). Generally, an alien who initially made a legal entry into the United States but has remained beyond what is a legal period has committed a federal civil offense.

Reasonable suspicion that a criminal immigration violation has occurred shall not be based on race, color, national origin or any other generalization that would cast suspicion on or stigmatize any person, except to the extent permitted by the United States or Indiana Constitutions. Instead, the totality of circumstances shall be used to determine reasonable suspicion, and shall include factors weighing for and against reasonable suspicion.

Factors that may be considered in determining reasonable suspicion that a criminal immigration violation has occurred may include, but are not limited to:

- (a) An admission that the person entered the United States illegally.
- (b) Reason to suspect that the person possesses immigration documentation that is forged, altered or otherwise indicative that the person is not legally present in the United States.
- (c) While a lack of English proficiency may be considered, it should not be the sole factor in establishing reasonable suspicion. When practicable, reasonable effort should be made to accommodate persons with limited English proficiency.
- (d) Other factors based upon training and experience.

413.5 ARREST NOTIFICATION TO IMMIGRATION AND CUSTOMS ENFORCEMENT

Generally, an officer should not notify federal immigration officials when booking arrestees at a jail facility. Any required notification will be handled according to jail operation procedures. No individual who is otherwise ready to be released should continue to be detained solely for the purpose of notification.

413.6 FEDERAL REQUESTS FOR ASSISTANCE

Requests by federal immigration officials for assistance from this department should be directed to a supervisor. The Department may provide available support services, such as traffic control or peacekeeping efforts (I.C. § 5-2-18.2-3).

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413.7 INFORMATION SHARING

No member of this department will prohibit, or in any way restrict, any other member from doing any of the following regarding the citizenship or immigration status, lawful or unlawful, of any individual (8 USC § 1373; I.C. § 5-2-18.2-3):

- (a) Sending information to, or requesting or receiving such information from federal immigration officials
- (b) Maintaining such information in department records
- (c) Exchanging such information with any other federal, state, or local government entity
- (d) Exercising any duty to cooperate with state or federal agencies as provided in I.C. § 5-2-18.2-7

413.7.1 IMMIGRATION DETAINERS

No individual should be held based solely on a federal immigration detainer under 8 CFR 287.7 unless the person has been charged with a federal crime or the detainer is accompanied by a warrant, affidavit of probable cause, or removal order. Notification to the federal authority issuing the detainer should be made prior to the release.

413.8 U VISA AND T VISA NONIMMIGRANT STATUS

Under certain circumstances, federal law allows temporary immigration benefits, known as a U visa, to victims and witnesses of certain qualifying crimes (8 USC § 1101(a)(15)(U)).

Similar immigration protection, known as a T visa, is available for certain qualifying victims of human trafficking (8 USC § 1101(a)(15)(T)).

Any request for assistance in applying for U visa or T visa status should be forwarded in a timely manner to the Criminal Investigation supervisor assigned to oversee the handling of any related case. The Criminal Investigation supervisor should:

- (a) Consult with the assigned investigator to determine the current status of any related case and whether further documentation is warranted.
- (b) Contact the appropriate prosecutor assigned to the case, if applicable, to ensure the certification or declaration has not already been completed and whether a certification or declaration is warranted.
- (c) Address the request and complete the certification or declaration, if appropriate, in a timely manner.
 - 1. The instructions for completing certification and declaration forms can be found on the U.S. Department of Homeland Security (DHS) website.
- (d) Ensure that any decision to complete, or not complete, a certification or declaration form is documented in the case file and forwarded to the appropriate prosecutor. Include a copy of any completed form in the case file.

Aircraft Accidents

414.1 PURPOSE AND SCOPE

The purpose of this policy is to provide department members with guidelines for handling aircraft accidents.

This policy does not supersede, and is supplementary to, applicable portions of the Crime and Disaster Scene Integrity, Emergency Operations Plan and Hazardous Material Response policies.

414.1.1 DEFINITIONS

Definitions related to this policy include:

Aircraft - Any fixed wing aircraft, rotorcraft, balloon, blimp/dirigible or glider that is capable of carrying a person or any unmanned aerial vehicle other than those intended for non-commercial recreational use.

414.2 POLICY

It is the policy of the West Lafayette Police Department to provide an appropriate emergency response to aircraft accidents. This includes emergency medical care and scene management.

414.3 ARRIVAL AT SCENE

Officers or other authorized members tasked with initial scene management should establish an inner and outer perimeter to:

- (a) Protect persons and property.
- (b) Prevent any disturbance or further damage to the wreckage or debris, except to preserve life or rescue the injured.
- (c) Preserve ground scars and marks made by the aircraft.
- (d) Manage the admission and access of public safety and medical personnel to the extent necessary to preserve life or to stabilize hazardous materials.
- (e) Maintain a record of persons who enter the accident site.
- (f) Consider implementation of an Incident Command System (ICS).

414.4 INJURIES AND CASUALTIES

Members should address emergency medical issues and provide care as a first priority.

Those tasked with the supervision of the scene should coordinate with the National Transportation Safety Board (NTSB) before the removal of bodies. If that is not possible, the scene supervisor should ensure documentation of what was disturbed, including switch/control positions and instrument/gauge readings.

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414.5 NOTIFICATIONS

When an aircraft accident is reported to this department, the responding supervisor shall ensure notification is or has been made to NTSB, the Federal Aviation Administration (FAA), and when applicable, the appropriate branch of the military.

Supervisors shall ensure other notifications are made once an aircraft accident has been reported. The notifications will vary depending on the type of accident, extent of injuries or damage, and the type of aircraft involved. When an aircraft accident has occurred, it is generally necessary to notify the following:

- (a) Fire department
- (b) Purdue University Airport Tower
- (c) Emergency medical services (EMS)
- (d) If applicable, Purdue Deans Office

414.6 CONTROLLING ACCESS AND SCENE AUTHORITY

Prior to NTSB arrival, scene access should be limited to authorized personnel from the:

- (a) FAA.
- (b) Fire department, EMS or other assisting law enforcement agencies.
- (c) Coroner.
- (d) Air Carrier/Operators investigative teams with NTSB approval.
- (e) Appropriate branch of the military, when applicable.
- (f) Other emergency services agencies (e.g., hazardous materials teams, biohazard decontamination teams, fuel recovery specialists, explosive ordnance disposal specialists).

The NTSB has primary responsibility for investigating accidents involving civil aircraft. In the case of a military aircraft accident, the appropriate branch of the military will have primary investigation responsibility.

After the NTSB or military representative arrives on-scene, the efforts of this department will shift to a support role for those agencies.

If NTSB or a military representative determines that an aircraft or accident does not qualify under its jurisdiction, the on-scene department supervisor should ensure the accident is still appropriately investigated and documented.

414.7 DANGEROUS MATERIALS

Members should be aware of potentially dangerous materials that might be present. These may include, but are not limited to:

- Fuel, chemicals, explosives, biological or radioactive materials and bombs or other ordnance.

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- Pressure vessels, compressed gas bottles, accumulators and tires.
- Fluids, batteries, flares and igniters.
- Evacuation chutes, ballistic parachute systems and composite materials.

414.8 DOCUMENTATION

All aircraft accidents occurring within the City of West Lafayette shall be documented. At a minimum, the documentation should include the date, time and location of the incident; any witness statements, if taken; the names of WLPD members deployed to assist; other City resources that were utilized; and cross reference information to other investigating agencies. Suspected criminal activity should be documented in the appropriate crime report.

414.8.1 WRECKAGE

When reasonably safe, members should:

- (a) Obtain the aircraft registration number (N number) and note the type of aircraft.
- (b) Attempt to ascertain the number of casualties.
- (c) Obtain photographs or video of the overall wreckage, including the cockpit and damage, starting at the initial point of impact, if possible, and any ground scars or marks made by the aircraft.
 1. Military aircraft may contain classified equipment and therefore shall not be photographed unless authorized by a military commanding officer (18 USC § 795).
- (d) Secure, if requested by the lead authority, any electronic data or video recorders from the aircraft that became dislodged or cell phones or other recording devices that are part of the wreckage.
- (e) Acquire copies of any recordings from security cameras that may have captured the incident.

414.8.2 WITNESSES

Members tasked with contacting witnesses should obtain:

- (a) The location of the witness at the time of his/her observation relative to the accident site.
- (b) A detailed description of what was observed or heard.
- (c) Any photographs or recordings of the accident witnesses may be willing to voluntarily surrender.
- (d) The names of all persons reporting the accident, even if not yet interviewed.
- (e) Any audio recordings of reports to 9-1-1 regarding the accident and dispatch records.

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414.9 MEDIA RELATIONS

The Public Information Officer (PIO) should coordinate a response to the media, including access issues, road closures, detours and any safety information that is pertinent to the surrounding community. Any release of information regarding details of the accident itself should be coordinated with the NTSB or other authority who may have assumed responsibility for the investigation.

Depending on the type of aircraft, the airline or the military may be responsible for family notifications and the release of victims' names. The PIO should coordinate with other involved entities before the release of information.

Field Training

415.1 PURPOSE AND SCOPE

This policy provides guidelines for field training that ensure standardized training and evaluation, facilitate the transition from the academic setting to the actual performance of general law enforcement duties, and introduce the policies, procedures and operations of the West Lafayette Police Department. The policy addresses the administration of field training and the selection, supervision, training and responsibilities of the Field Training Officer (FTO).

415.2 POLICY

It is the policy of the West Lafayette Police Department that all newly hired or appointed officer trainees will participate in field training that is staffed and supervised by trained and qualified FTOs.

415.3 FIELD TRAINING

The field training program shall consist of four full rotations of training. Each rotation shall be of sixteen work days in duration. During these rotations the probationary officer shall experience the work of each shift with an emphasis on night shift work. The first rotation will commence when the probationary officer has completed the WLPD Orientation phase.. The Chief of Police shall retain the authority to shorten the duration of the training for probationary officers with prior law enforcement experience. The duration of training may also be shortened for probationary officers with unusual ability or to satisfy the manpower requirements. The field training program is an extension of the hiring process. Probationary officers are required to complete the field training program successfully to be considered for further employment with the West Lafayette Police Department.

415.4 FIELD TRAINING COORDINATOR

The Chief of Police shall delegate certain responsibilities to an FTO coordinator. The FTO

Coordinator shall be appointed by the Chief of Police and directly responsible to the Deputy Chief or the

authorized designee. The FTO Coordinator shall hold the rank of Patrol Sergeant or Patrol

Lieutenant. The FTO coordinator will be required to successfully complete a training course

approved by this department that is applicable to supervision of field training within one year of

appointment to this position. The FTO coordinator may appoint a senior FTO or other designee to assist in the coordination of FTOs and their activities.

The responsibilities of the coordinator include, but are not limited to:

- (a) Assigning of trainees to FTOs.
- (b) Conducting FTO meetings.
- (c) Maintaining and ensuring FTO and trainee performance evaluations are completed.

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- (d) Maintaining, updating and issuing department training materials to each FTO and trainee.
- (e) Developing ongoing training for FTOs.
- (f) Mentoring and supervising individual FTOs.
- (g) Monitoring the overall performance of field training.
- (h) Keeping the Shift Supervisor informed about trainees' progress.
- (k) Performing other activities as may be directed by the Deputy Chief.

415.4.1 PROCESS REVIEW MEETINGS

The FTO coordinator should arrange for periodic meetings with FTOs in order to discuss:

- (a) Updates to department directives and procedures.
- (b) New information relevant to the FTO training program (e.g., training methods, laws).
- (c) Experiences during most recent training cycle (e.g., training problems, suggestions for program improvement).
- (d) Any other information pertinent to the FTOs

415.5 FTO SELECTION, TRAINING AND RESPONSIBILITIES

415.5.1 SELECTION PROCESS

The selection of an FTO will be at the discretion of the Chief of Police or the authorized designee.

Selection will be based on the officer's:

- (a) Desire to be an FTO.
- (b) Experience and knowledge
- (c) Work performance
- (d) Skill in interpersonal relationships
- (e) Demonstrated ability as a positive role model.
- (f) Successful completion of an internal oral interview process.
- (g) Evaluation by supervisors and current FTOs.
- (h) Possession of, or ability to obtain, department-approved certification.
- (i) Must not be in any stage of progressive discipline and shall possess above average ratings on their last two performance evaluations.

An FTO must remain in good standing and may be relieved from FTO duties due to discipline, inappropriate conduct or poor performance.

The FTO Coordinator, in consultation with the Captain of Patrol and the Deputy Chief, will make

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recommendations to the Chief for the selection of Field Training Officers. The number of FTO's will depend on departmental needs; however, there will be an attempt to have at least six trained and commissioned FTO's ready to assume full FTO duties and responsibilities at any given time. FTO's shall complete an approved FTO course, as course availability and department needs allow, upon selection as an FTO. FTO's may be temporarily or permanently removed from FTO responsibilities and/or the FTO program for just cause by the FTO Coordinator or an executive staff member.

415.5.2 TRAINING

An officer selected as an FTO shall successfully complete a department-approved FTO course prior to being assigned as an FTO.

415.5.3 TRAINING MATERIALS

The FTO shall receive training materials outlining the requirements, expectations and objectives of the FTO position. FTOs should refer to their training materials or the FTO coordinator regarding specific questions related to FTO or field training.

415.5.4 FTO RESPONSIBILITIES

The responsibilities of the FTO include, but are not limited to:

- (1) Issuing his/her assigned trainee field training materials in accordance with the Training Policy.
 - (a) The FTO shall ensure that the trainee has the opportunity to become knowledgeable of the subject matter and proficient with the skills as set forth in the training materials.
 - (b) The FTO shall sign off on all completed topics contained in the training materials, noting the methods of learning and evaluating the performance of his/her assigned trainee.
- (2) Completing and reviewing daily performance evaluations with the trainee.
- (3) Completing and submitting a written evaluation on the performance of his/her assigned trainee to the FTO coordinator on a daily basis.

415.6 PROGRAM STRUCTURE

Newly hired officers will complete an in-house orientation before assignment to the field training program. The orientation structure and length will be determined and facilitated by the Field Training Coordinator, consisting of:

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- (a) Initial paperwork, department overview, and swearing in by the Mayor.
- (b) Tour of the department, locker and mailbox assignment, issuance of ID, keys, books and manuals as well as any other miscellaneous items.
- (c) Human Resources orientation.
- (d) Field training orientation and expectations.
- (e) Uniform and equipment issuance. See attachment: Issued Equipment-2019.pdf
- (f) Communications center orientation.
- (g) Computer, email, and SOP logins and orientation.

Once finished with the orientation phase, the probationary officer will be assigned to the field training program. The field training coordinator or his designee will facilitate the scheduling of the program. As the probationary officer meets the expectations of each phase, and has demonstrated proficiency in the training topics of the phase, they shall advance to the next phase. The use of FTOs and scheduling for the probationary officer can vary depending on the needs and expectations of the police department.

415.7 PHASE EXPECTATIONS

The probationary officer must show competence in order to move onto the next phase. Failure to show competence during the normal phase and with remedial training shall be considered grounds for termination.

Phase One: The probationary officer will receive a schedule outlining their phase one FTOs and shift assignments. The probationary officer will observe the FTO as he/she conducts duties. The probationary officer will ask relevant questions and will participate if required. The amount of work required of the probationary officer will be determined by the FTO and depend on the level of knowledge the probationary officer demonstrates. The FTO shall ensure that the probationary officer has all the proper paperwork needed to conduct daily patrols. The probationary officer should assume a minimum of 25% of the workload by the end of the first rotation. Failure to do so can result in remedial training. The FTO will complete a phase summary report at the end of the training phase.

Phase Two: The probationary officer will receive a schedule outlining their phase two FTOs and shift assignments. The probationary officer will continue to polish their newly learned skills. The FTO will progressively assign more difficult and complex calls to the probationary officer. The probationary officer should handle a minimum of 25% of the workload at the beginning of the second phase. By the end of the second phase, the probationary officer will be expected to have progressed to handling a minimum of 50% of the total workload, failure to do so by the end of the rotation will result in remedial training. The FTO will complete a phase summary report at the end of the training phase.

Phase Three: The probationary officer will receive a schedule outlining their phase three FTOs and shift assignments. The probationary officer will continue to build their newly learned skills and will begin to assume an even larger portion of the workload. The FTO will continue to progressively

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assign more difficult and complex calls to the probationary officer. Efforts will be made to prepare the probationary officer for the full responsibilities of a patrol officer. The probationary officer should handle a minimum of 50% of the workload at the beginning of the phase. At the end of the third training phase, the officer will be expected to have progressed to handling a minimum of 75% of the total workload of the FTO. Failure to reach the minimum 75% will result in remedial training for the probationary officer. The FTO will complete a phase summary report at the end of the training phase.

Phase Four: The probationary officer will receive a schedule outlining their phase four FTOs and shift assignment. The fourth phase training is an evaluation period and the probationary officer will assume the full responsibilities of a uniformed patrol officer. The FTO is not expected to train during this rotation. The FTO will evaluate the probationary officer's fitness for solo patrol. The FTO should provide a safety net for the probationary officer and should only intervene to prevent unnecessary exposure to danger or civil liability. As always, the probationary officer will receive feedback from the FTO. During this training phase, the probationary officer will assume 100% of the workload of the FTO. At the conclusion of the phase, the FTO will complete a summary report.

415.8 REMEDIATION

1. When deemed necessary by the Field Training Coordinator, the probationary officer will be assigned to remedial training. The need for remedial training may be deemed necessary in the case of substandard performance in any category recorded on the DORs. The remedial training shall not be considered a punishment, but rather an opportunity to correct a deficiency a probationary officer may display.

2. Remediation plan:

- a) The probationary officer will receive a detailed description of his/her specific problems in writing.
- b) The probationary officer will receive a written plan of action to correct the problems.
- c) The probationary officer's shift assignment and assigned FTO will be determined by the Field Training Coordinator. The probationary officer shall receive remedial training for a period of eight additional workdays per phase in order to correct problems.
- d) The probationary officer must show acceptable improvement in order to move onto the next phase. If the probationary officer does not improve the substandard scores during the remedial training phase, they can be considered for termination.

3. The remediation procedure may be utilized at the end of phases one, two and three for a maximum of 24 workdays of remedial training.

4. Should the probationary officer fail to meet standard scores at the end of the remedial training, a report from the FTO Coordinator documenting the failure to improve will be submitted to the Chief of Police. The Chief of Police shall maintain the right to extend the probationary officers training or terminate them.

415.9 ILEA

1. The probationary officer's speed of progression through the field training program will be

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influenced by the availability of ILEA basic academy. The probationary officer may be rotated between shifts and FTO's as needed until the ILEA basic academy begins.

2. The probationary officer will not be assigned to the third training rotation until the officer has successfully completed the ILEA basic academy.
3. Upon completion of the ILEA basic academy the probationary officer will be returned to the field training program where they left off prior to the ILEA training.
4. The probationary officer will be granted a short period of adjustment when returning from ILEA to the third training rotation.

415.10 FIELD TRAINING PROGRAM FINAL REPORT

1. Upon the probationary officer's completion of the four training rotations the Field Training Coordinator will complete a final report to be forwarded to the Chief of Police.
2. The final report will include specific information pertaining to the probationary officer's fitness for solo patrol.
3. The report will include the Field Training Coordinator's recommendation as to whether the probationary officer should be released to solo patrol or terminated from the program.
4. The Chief of Police shall retain final authority to act on the recommendations of the Field Training Coordinator.

415.11 SUMMARY

The West Lafayette Police Department will actively attempt to train probationary officers through the use of qualified field training officers following the schedule as outlined above. During this training process the probationary officer is expected to make every effort to absorb the instruction of the field training officers. The proper training of a probationary officer is dependent upon the diligence of the field training officers, the initiative of the probationary officer to learn the material, and the commitment of the senior staff to the success of the program.

415.12 FRATERNIZATION

The relationship between the Field Training Officer (FTO) and the Probationary Officer (PO) should be comparable to a teacher and student relationship or supervisor to subordinate relationship. This relationship will be one of mutual respect and shall be strictly professional.

1. PO's will NOT be harassed intentionally, embarrassed or treated in a demeaning manner.
2. While a PO is going through the program, the FTO will NOT associate with or socialize with the PO when he/she is off duty. There is an exception if the FTO and PO are

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representing an event as officers or otherwise authorized by the Chief of Police or his designee.

3. While a PO is going through the program, the FTO will NOT engage in personal business while on duty.
4. FTO's will NOT accept gifts from nor give gifts to the PO while in the Field Training Program. While the PO is going through the program, the FTO will not make monetary purchases for the PO, nor will the PO make monetary purchases for other officers, including meals.
5. FTO's will NOT make discriminatory or sexist remarks as per department policy.
6. FTO's will NOT live with or enter into any financial arrangements with the PO.
7. FTO's will NOT date or attempt to date a PO while they are in the program. If a relationship already exists between an FTO and a PO, the PO will not be placed with that FTO during the program.

Air Support

416.1 PURPOSE AND SCOPE

The use of air support can be invaluable in certain situations. This policy specifies situations where the use of air support may be requested and the responsibilities for making a request.

416.2 POLICY

It is the policy of the West Lafayette Police Department to prioritize requests for air support to enhance law enforcement objectives and provide additional safety to officers and the community.

416.3 REQUEST FOR AIR SUPPORT

If a supervisor or officer in charge of an incident determines that the use of air support would be beneficial, a request to obtain air support may be made.

416.3.1 CIRCUMSTANCES FOR REQUESTS

Law enforcement air support may be requested under conditions that include, but are not limited to:

- (a) When the safety of officers or the community is in jeopardy and the presence of air support may reduce such hazard.
- (b) When the use of air support will aid in the capture of a suspected fleeing felon whose continued freedom represents an ongoing threat to officers or the community.
- (c) When air support is needed to locate a person who is lost and whose continued absence constitutes a serious health or safety hazard.
- (d) Vehicle pursuits.
- (e) Pre-planned events or actions that require air support.
- (f) Due to a request under an existing mutual aid agreement.
- (g) When the Shift Supervisor or equivalent authority determines a reasonable need exists.

Contacts and Temporary Detentions

417.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for temporarily detaining but not arresting persons in the field, conducting field interviews (FI) and pat-down searches, and the taking and disposition of photographs.

417.1.1 DEFINITIONS

Definitions related to this policy include:

Consensual encounter - When an officer contacts an individual but does not create a detention through words, actions, or other means. In other words, a reasonable individual would believe that his/her contact with the officer is voluntary.

Field interview (FI) - The brief detainment of an individual, whether on foot or in a vehicle, based on reasonable suspicion for the purpose of determining the individual's identity and resolving the officer's suspicions.

Field photographs - Posed photographs taken of a person during a contact, temporary detention, or arrest in the field. Undercover surveillance photographs of an individual and recordings captured by the normal operation of a Mobile Audio/Video (MAV) system, body-worn camera, or public safety camera when persons are not posed for the purpose of photographing are not considered field photographs.

Pat-down search - A type of search used by officers in the field to check an individual for dangerous weapons. It involves a thorough patting-down of clothing to locate any weapons or dangerous items that could pose a danger to the officer, the detainee, or others.

Reasonable suspicion - When, under the totality of the circumstances, an officer has articulable facts that criminal activity may be afoot and a particular person is connected with that possible criminal activity.

Temporary detention - When an officer intentionally, through words, actions, or physical force, causes an individual to reasonably believe he/she is required to restrict his/her movement without an actual arrest. Temporary detentions also occur when an officer actually restrains a person's freedom of movement.

417.2 POLICY

The West Lafayette Police Department respects the right of the public to be free from unreasonable searches or seizures. Due to an unlimited variety of situations confronting the officer, the decision to temporarily detain a person and complete a field interview, pat-down search or field photograph shall be left to the officer based on the totality of the circumstances, officer safety considerations and constitutional safeguards.

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417.3 FIELD INTERVIEWS

Based on observance of suspicious circumstances or upon information from investigation, an officer may initiate the stop of a person, and conduct an field interview, when there is articulable, reasonable suspicion to do so. A person, however, shall not be detained longer than is reasonably necessary to resolve the officer's suspicion.

Nothing in this policy is intended to discourage consensual contacts. Frequent casual contact with consenting individuals is encouraged by the West Lafayette Police Department to strengthen community involvement, community awareness and problem identification.

417.3.1 INITIATING A FIELD INTERVIEW

When initiating the stop, the officer should be able to point to specific facts which, when considered with the totality of the circumstances, reasonably warrant the stop. Such facts include but are not limited to an individual's:

- (a) Appearance or demeanor suggesting that he/she is part of a criminal enterprise or is engaged in a criminal act.
- (b) Actions suggesting that he/she is engaged in a criminal activity.
- (c) Presence in an area at an inappropriate hour of the day or night.
- (d) Presence in a particular area is suspicious.
- (e) Carrying of suspicious objects or items.
- (f) Excessive clothes for the climate or clothes bulging in a manner that suggest he/she is carrying a dangerous weapon.
- (g) Location in proximate time and place to an alleged crime.
- (h) Physical description or clothing worn that matches a suspect in a recent crime.
- (i) Prior criminal record or involvement in criminal activity as known by the officer.

417.4 PAT-DOWN SEARCHES

Once a valid stop has been made, and consistent with an officer's training and experience, an officer may pat a suspect's outer clothing for weapons if the officer has a reasonable, articulable suspicion the suspect may pose a safety risk. The purpose of this limited search is not to discover evidence of a crime, but to allow the officer to pursue the investigation without fear of violence. Circumstances that may establish justification for performing a pat-down search include but are not limited to:

- (a) The type of crime suspected, particularly in crimes of violence where the use or threat of weapons is involved.
- (b) Where more than one suspect must be handled by a single officer.
- (c) The hour of the day and the location or area where the stop takes place.
- (d) Prior knowledge of the suspect's use of force and/or propensity to carry weapons.
- (e) The actions and demeanor of the suspect.

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- (f) Visual indications which suggest that the suspect is carrying a firearm or other dangerous weapon.

Whenever practicable, a pat-down search should not be conducted by a lone officer. A cover officer should be positioned to ensure safety and should not be involved in the search.

417.5 WITNESS IDENTIFICATION AND INTERVIEWS

Because potential witnesses to an incident may become unavailable or the integrity of their statements compromised with the passage of time, officers should, when warranted by the seriousness of the case, take reasonable steps to promptly coordinate with an on-scene supervisor and/or criminal investigator to utilize available members for the following:

- (a) Identifying all persons present at the scene and in the immediate area.
 - 1. When feasible, a recorded statement should be obtained from those who claim not to have witnessed the incident but who were present at the time it occurred.
 - 2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, officers should attempt to identify the witness prior to his/her departure.
- (b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by department members.
 - 1. A written, verbal or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transport.

Shift Supervisors

418.1 PURPOSE AND SCOPE

This policy provides guidelines for the designation of a Shift Supervisor for each shift.

418.2 POLICY

Each shift will be directed by a Shift Supervisor capable of making decisions and managing in a manner consistent with the mission of the West Lafayette Police Department. To accomplish this, a Lieutenant and Sergeant shall be designated as the Shift Supervisors for each shift.

418.3 SHIFT SUPERVISOR RESPONSIBILITIES

The Shift Supervisor shall have overall responsibility and accountability for the operation of this department on an assigned shift. Duties may include, but are not limited to:

- (a) Ensuring sufficient members are on-duty to accomplish the mission of the West Lafayette Police Department.
- (b) Providing command-level oversight .
- (c) Establishing service-level priorities.
- (d) Providing job-related training and guidance to subordinates.
- (e) Acquiring outside resources or providing assistance to other agencies, when applicable.
- (f) Handling service inquiries or complaints from the public.
- (g) Acting as the Public Information Officer when appropriate.
- (h) Managing risk exposure.
- (i) Ensuring the security of all department facilities.
- (j) Ensuring the proper equipment and vehicles are available for member use.
- (k) Representing the Department at community functions.

Mobile Audio/Video

419.1 PURPOSE AND SCOPE

The West Lafayette Police Department has equipped patrol vehicles with Mobile Audio/Video (MAV) recording systems to provide records of events and to assist officers in the performance of their duties. This policy provides guidance on the use of these systems.

419.1.1 DEFINITIONS

Definitions related to this policy include:

Activate - Any process that causes the MAV system to transmit or store video or audio data in an active mode.

In-car camera system and MAV system - Synonymous terms that refer to any system that captures audio and video signals, that is capable of installation in a vehicle, and that includes at a minimum, a camera, microphone, recorder and monitor.

Recorded media - Audio/video signals recorded or digitally stored on a storage device or portable media.

419.2 POLICY

It is the policy of the West Lafayette Police Department to use mobile audio/video technology to more effectively fulfill the mission of the Department and to ensure these systems are used securely and efficiently.

419.3 OFFICER RESPONSIBILITIES

At the start of each shift, officers should test the MAV system's operation in accordance with manufacturer specifications and department operating procedures and training.

Officers shall ensure the MVR is positioned and adjusted to record the events.

Should the officer find any problems with the MVR, that officer shall immediately notify their shift commander and submit a help ticket.

419.4 ACTIVATION OF THE MAV

The MAV system is designed to turn on whenever the vehicle's emergency lights are activated. The system remains on until it is turned off manually.

419.4.1 REQUIRED ACTIVATION OF THE MAV

This policy is not intended to describe every possible situation in which the MAV system may be used, although there are many situations where its use is appropriate. An officer may activate the system any time the officer believes it would be appropriate or valuable to document an incident.

In some circumstances it is not possible to capture images of the incident due to conditions or the location of the camera. However, the audio portion can be valuable evidence and is subject

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to the same activation requirements as the MAV. The MAV system should be activated in any of the following situations:

- (a) All field contacts involving actual or potential criminal conduct within video or audio range:
 - 1. Traffic stops (including, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops)
 - 2. Priority responses
 - 3. Vehicle pursuits
 - 4. Suspicious vehicles
 - 5. Arrests
 - 6. Vehicle searches
 - 7. Physical or verbal confrontations or use of force
 - 8. Pedestrian checks
 - 9. Operating while intoxicated (OWI) investigations, including field sobriety tests
 - 10. Consensual encounters
 - 11. Crimes in progress
 - 12. Responding to an in-progress call
- (b) All self-initiated activity in which an officer would normally notify the Dispatch Center
- (c) Any call for service involving a crime where the recorder may aid in the apprehension and/or prosecution of a suspect, including:
 - 1. Domestic or family violence
 - 2. Disturbance of the peace
 - 3. Offenses involving violence or weapons
- (d) Any other contact that becomes adversarial after the initial contact, in a situation that would not otherwise require recording
- (e) Any other circumstance where the officer believes that a recording of an incident would be appropriate

419.4.2 CESSATION OF RECORDING

Once activated, the MAV system should remain on until the incident has concluded. For the purpose of this section, conclusion of an incident has occurred when all arrests have been made, arrestees have been transported and all witnesses and victims have been interviewed. Recording may cease if an officer is simply waiting for a tow truck or a family member to arrive, or in other similar situations.

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419.5 REVIEW OF MAV RECORDINGS

All recording media, recorded images and audio recordings are the property of the Department. Dissemination outside of the Department is strictly prohibited, except to the extent permitted or required by law.

In no event shall any recording be used or shown for the purpose of ridiculing or embarrassing any member.

419.6 DOCUMENTING MAV USE

If any incident is recorded with either the video or audio system, the existence of that recording shall be documented in the officer's report. If a citation is issued, the officer shall make a notation on the back of the records copy of the citation indicating that the incident was recorded.

419.7 RECORDING MEDIA STORAGE AND INTEGRITY

Once submitted for storage, all recording media will be labeled and stored in a designated secure area.

All recordings shall be retained in an unaltered and unobscured condition for at least 190 days. Recordings shall be retained for longer periods as follows (I.C. § 5-14-3-5.3):

- (a) As provided in I.C. § 5-14-3-5.1 for at least two years upon written request:
 - 1. Of a person who is depicted or whose property is depicted in the recording.
 - 2. Of a victim.
- (b) For at least two years if a formal or informal complaint is filed regarding a law enforcement activity as provided in I.C. § 5-14-3-2(j).
- (c) Until the final disposition of all appeals and an order from the court if a recording is used in a criminal, civil, or administrative proceeding.

The West Lafayette Police Department may retain a recording for training purposes for any length of time (I.C. § 5-14-3-5.3).

419.7.1 COPIES OF ORIGINAL RECORDING MEDIA

Original recording media may only be released in response to a court order or upon approval by the Chief of Police or the authorized designee. In the event that an original recording is released to a court, a copy shall be made and placed in storage until the original is returned.

419.7.2 MAV RECORDINGS AS EVIDENCE

Officers who reasonably believe that a MAV recording is likely to contain evidence relevant to a criminal offense or to a potential claim against the officer or against the West Lafayette Police Department should indicate this in an appropriate report. Officers should ensure relevant recordings are preserved.

Mobile Data Terminal Use

420.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper access, use and application of the Mobile Data Terminal (MDT) system in order to ensure proper access to confidential records from local, state and national law enforcement databases, and to ensure effective electronic communications between department members and the Dispatch Center.

420.2 POLICY

West Lafayette Police Department members using the MDT shall comply with all appropriate federal and state rules and regulations and shall use the MDT in a professional manner, in accordance with this policy.

420.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to messages accessed, transmitted, received or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

420.4 RESTRICTED ACCESS AND USE

MDT use is subject to the Information Technology Use and Protected Information policies.

Members shall not access the MDT system if they have not received prior authorization and the required training. Members shall immediately report unauthorized access or use of the MDT by another member to their supervisors or Shift Supervisors.

Use of the MDT system to access law enforcement databases or transmit messages is restricted to official activities, business-related tasks and communications that are directly related to the business, administration or practices of the Department. In the event that a member has questions about sending a particular message or accessing a particular database, the member should seek prior approval from his/her supervisor.

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing or any other inappropriate messages on the MDT system is prohibited and may result in discipline.

It is a violation of this policy to transmit a message or access a law enforcement database under another member's name or to use the password of another member to log in to the MDT system unless directed to do so by a supervisor. Members are required to log off the MDT or secure the MDT when it is unattended. This added security measure will minimize the potential for unauthorized access or misuse.

420.4.1 USE WHILE DRIVING

Use of the MDT by the vehicle operator should generally be limited to times when the vehicle is stopped. When the vehicle is in motion, the operator should only attempt to read messages that are likely to contain information that is required for immediate enforcement, investigative or safety needs.

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Short transmissions, such as a license plate check, are permitted if it reasonably appears that it can be done safely. In no case shall an operator attempt to send or review lengthy messages while the vehicle is in motion.

420.5 DOCUMENTATION OF ACTIVITY

Except as otherwise directed by the Shift Supervisor or other department-established protocol, all calls for service assigned by a dispatcher should be communicated by voice over the police radio and electronically via the MDT unless security or confidentiality prevents such broadcasting.

MDT and voice transmissions are used to document the member's daily activity. To ensure accuracy:

- (a) All contacts or activity shall be documented at the time of the contact.
- (b) Whenever the activity or contact is initiated by voice, it should be documented by a dispatcher.
- (c) Whenever the activity or contact is not initiated by voice, the member shall document it via the MDT.

420.5.1 STATUS CHANGES

All changes in status (e.g., arrival at scene, meal periods, in service) will be transmitted over the police radio or through the MDT system.

Members responding to in-progress calls should advise changes in status over the radio to assist other members responding to the same incident. Other changes in status can be made on the MDT.

420.5.2 EMERGENCY ACTIVATION

If there is an emergency activation, the dispatcher will attempt to confirm the member's need for emergency assistance. If the member reports that no assistance is needed, the dispatcher will advise all members to resume normal activity. If there is no response or the member answers in some other way, the dispatcher shall proceed as follows:

- (a) If the member is not on a call for service, available resources will be sent to assist in locating the member. If the location is known, the dispatcher will immediately assign an emergency response to the nearest available officer, in accordance with the Officer Response to Calls Policy.
- (b) Notify the field supervisor and Shift Supervisor of the incident without delay.

Officers not responding to the emergency shall refrain from transmitting on the police radio until a no-further-assistance broadcast is made or if they are also handling an emergency.

420.6 EQUIPMENT CONSIDERATIONS

420.6.1 NON-FUNCTIONING MDT

Whenever possible, members will not use vehicles with malfunctioning MDTs. Whenever members must drive a vehicle in which the MDT is not working, they shall notify the Dispatch

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Center and Shift Commnader. It shall be the responsibility of the dispatcher to document all information that will then be transmitted verbally over the police radio.

Officers shall report any damaged MDT equipment to thier shift commander.

Officers shall submit a help ticket for all needed repairs to nonfunctioning MDT's.

420.6.2 BOMB CALLS

When investigating reports of possible bombs, members should not communicate on their MDTs when in the evacuation area of a suspected explosive device. Radio frequency emitted by the MDT could cause some devices to detonate.

Body Worn Cameras/Portable Audio/Video Recorders

421.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of body worn cameras/portable audio/video recording devices by members of this department while in the performance of their duties. Body worn cameras/portable audio/video recording devices include all recording systems whether body-worn, handheld or integrated into portable equipment.

This policy does not apply to lawful surreptitious audio/video recording, interception of communications for authorized investigative purposes or to mobile audio/video recordings (see the Investigation and Prosecution and Mobile Audio/Video policies).

421.2 POLICY

It is the policy of this department that officers shall activate the BWC when such use is appropriate to the proper performance of his or her official duties, where the recordings are consistent with this policy and law.

BWCs allow for accurate documentation of police-public contacts, arrests, critical incidents, accuracy of officer reports, and testimony in court.

Audio and video recordings enhance this agency's ability to review probable cause for arrest, officer and suspect interaction, evidence for investigative and prosecutorial purposes, and to provide additional information for officer evaluation and training.

The BWC may also be useful in documenting crime and accident scenes or other events that include the confiscation and documentation of evidence or contraband.

421.3 MEMBER PRIVACY EXPECTATION

All recordings made by members on any department-issued device at any time, and any recording made while acting in an official capacity of this department, regardless of ownership of the device it was made on, shall remain the property of the Department. Members shall have no expectation of privacy or ownership interest in the content of these recordings.

421.4 MEMBER RESPONSIBILITIES

BWC equipment is issued primarily to uniformed personnel as authorized by this agency. Officers who are assigned BWC equipment must use the equipment unless otherwise authorized by supervisory personnel.

Police personnel shall use only BWCs issued by this department. The BWC equipment and all data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of the agency.

Police personnel who are assigned BWCs must complete an agency approved and/or provided training program to ensure proper use and operations. Additional training may be required at

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periodic intervals to ensure the continued effective use and operation of the equipment, proper calibration and performance, and to incorporate changes, updates, or other revisions in policy and equipment.

BWC equipment is the responsibility of individual officers and will be used with reasonable-care to ensure proper functioning. Equipment malfunctions shall be brought to the attention of the officer's supervisor as soon as possible so that a replacement unit may be procured.

Officers shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner BWC recordings without prior written authorization and approval of the Chief or his designee, with the exception of copying recordings to be added to RMS.

Officers are encouraged to inform their supervisor of any recordings that may be of value for training purposes.

Requests for deletion of portions of the recordings (e.g., in the event of a personal recording) must be submitted in writing and approved by the chief or his or her designee in accordance with state record retention laws.

Officers shall note in incident, arrest, and related reports when recordings were made during the incident in question. BWC recordings are not a replacement for written reports.

421.5 ACTIVATION OF THE AUDIO/VIDEO RECORDER

Officers shall activate the BWC to record all calls for service and law enforcement related encounters and activities, such as traffic stops, arrests, searches, interrogations, and pursuits. When in doubt, officers should record. Officers are encouraged, but not required, to announce when they are recording.

In locations where individuals have a reasonable expectation of privacy, such as a residence, officers should inform individuals they are being recorded. Individuals with a reasonable expectation of privacy may decline to be recorded unless the recording is being made in pursuant to an investigation. The BWC shall remain activated until the event is completed in order to ensure the integrity of the recording unless the contact moves into an area restricted by this policy.

This department acknowledges that recording may not be possible, safe, or practical in every situation. If an officer fails to activate the BWC, fails to record the entire contact, or interrupts the recording, the officer shall document on camera or in writing, why a recording was not made, was interrupted, or was terminated.

421.6 PROHIBITED USE OF PORTABLE RECORDERS

Members are prohibited from using department-issued portable recorders and recording media for personal use and are prohibited from making personal copies of recordings created while on-duty or while acting in an official capacity.

Recordings shall not be used by any member for the purpose of embarrassment, intimidation or ridicule.

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BWCs shall be used only in conjunction with official law enforcement duties. The BWC shall not generally be used to record:

1. Communications with other police personnel without the permission of the chief.
2. Encounters with undercover officers or confidential informants;
3. When on break or otherwise engaged in personal activities; or
4. In any location where individuals have a reasonable expectation of privacy, such as a restroom or locker room.
5. Within any courtroom. [See attachment: Tippecanoe County Judicial Officers Memo Ref BWC 2018.pdf](#)

421.7 RETENTION/STORAGE OF RECORDINGS

All files shall be securely downloaded periodically and no later than the end of each shift. Each file shall contain information related to the date, BWC identifier, and assigned officer.

Files should be securely stored for at least 190 days, or in accordance with state records retention laws and no longer than useful for purposes of training or for use in an investigation or prosecution. In capital punishment prosecutions, recordings shall be kept until the offender is no longer under control of a criminal justice agency.

421.8 REVIEW OF RECORDED MEDIA FILES

When preparing written reports, members should review their recordings as a resource. However, members shall not retain personal copies of recordings. Members should not use the fact that a recording was made as a reason to write a less detailed report.

Supervisors are authorized to review relevant recordings any time they are investigating alleged misconduct or reports of meritorious conduct or whenever such recordings would be beneficial in reviewing a member's performance.

If an officer is suspected of wrongdoing or involved in an officer-involved shooting or other serious use of force, the department reserves the right to limit or restrict an officer from viewing the video file.

Supervisors shall at least on a monthly basis, randomly review BWC recordings to ensure that the equipment is operating properly and that officers are using the devices appropriately and in accordance with policy and to identify any areas in which additional training or guidance is required.

421.9 RELEASE OF RECORDINGS

Recordings made using portable recording devices pursuant to this policy are department records and may only be released as provided in the Records Maintenance and Release Policy or for other authorized legitimate department business purposes.

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421.10 RETENTION OF RECORDINGS

Members should transfer the recording, in accordance with current procedure for storing recordings, at the end of their shift and any time the storage capacity is nearing its limit.

All recordings shall be retained in an unaltered and unobscured condition for at least 190 days. Recordings shall be retained for longer periods as follows (I.C. § 5-14-3-5.3):

- (a) As provided in I.C. § 5-14-3-5.1 for at least two years upon written request:
 - 1. Of a person who is depicted or whose property is depicted in the recording.
 - 2. Of a victim.
- (b) For at least two years if a formal or informal complaint is filed regarding a law enforcement activity as provided in I.C. § 5-14-3-2(j).
- (c) Until the final disposition of all appeals and an order from the court if a recording is used in a criminal, civil or administrative proceeding.

The West Lafayette Police Department may retain a recording for training purposes for any length of time (I.C. § 5-14-3-5.3).

421.10.1 RELEASE OF AUDIO/VIDEO RECORDINGS

Requests for the release of audio/video recordings shall be processed in accordance with the Records Maintenance and Release Policy.

Public Recording of Law Enforcement Activity

422.1 PURPOSE AND SCOPE

This policy provides guidelines for handling situations in which members of the public photograph or audio/video record law enforcement actions and other public activities that involve members of this department. In addition, this policy provides guidelines for situations where the recordings may be evidence.

422.2 POLICY

The West Lafayette Police Department recognizes the right of persons to lawfully record members of this department who are performing their official duties. Members of this department will not prohibit or intentionally interfere with such lawful recordings. Any recordings that are deemed to be evidence of a crime or relevant to an investigation will only be collected or seized lawfully.

Officers should exercise restraint and should not resort to highly discretionary arrests for offenses such as interference, failure to comply or disorderly conduct as a means of preventing someone from exercising the right to record members performing their official duties.

422.3 RECORDING LAW ENFORCEMENT ACTIVITY

Members of the public who wish to record law enforcement activities are limited only in certain aspects.

- (a) Recordings may be made from any public place or any private property where the individual has the legal right to be present.
- (b) Beyond the act of photographing or recording, individuals may not interfere with the law enforcement activity. Examples of interference include, but are not limited to:
 - 1. Tampering with a witness or suspect.
 - 2. Inciting others to violate the law.
 - 3. Being so close to the activity as to present a clear safety hazard to the officers.
 - 4. Being so close to the activity as to interfere with an officer's effective communication with a suspect or witness.
- (c) The individual may not present an undue safety risk to the officer, him/herself or others.

422.4 OFFICER RESPONSE

Whenever practicable, officers should give clear and concise warnings to individuals who are conducting themselves in a manner that would cause their recording or behavior to be unlawful. Accompanying the warnings should be clear directions on what an individual can do to be compliant; directions should be specific enough to allow compliance. For example, rather than directing an individual to clear the area, an officer could advise the person that he/she may continue observing and recording from the sidewalk across the street.

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Public Recording of Law Enforcement Activity

If an arrest or other significant enforcement activity is taken as the result of a recording that interferes with law enforcement activity, officers shall document in a report the nature and extent of the interference or other unlawful behavior and the warnings that were issued.

422.5 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to the scene when requested or any time the circumstances indicate a likelihood of interference or other unlawful behavior.

The supervisor should review the situation with the officer and:

- (a) Request any additional assistance as needed to ensure a safe environment.
- (b) Take a lead role in communicating with individuals who are observing or recording regarding any appropriate limitations on their location or behavior.
- (c) When practicable, allow adequate time for individuals to respond to requests for a change of location or behavior. When practical, the encounter should be recorded.
- (d) Ensure that any enforcement, seizure or other actions are consistent with this policy and constitutional and state law.
- (e) Explain alternatives for individuals who wish to express concern about the conduct of department members, such as how and where to file a complaint.

422.6 SEIZING RECORDINGS AS EVIDENCE

Officers should not seize recording devices or media unless (42 USC § 2000aa):

- (a) There is probable cause to believe the person recording has committed or is committing a crime to which the recording relates, and the recording is reasonably necessary for prosecution of the person.
 - 1. Absent exigency or consent, a warrant should be sought before seizing or viewing such recordings. Reasonable steps may be taken to prevent erasure of the recording.
- (b) There is reason to believe that the immediate seizure of such recordings is necessary to prevent serious bodily injury or death of any person.
- (c) The person consents.
 - 1. To ensure that the consent is voluntary, the request should not be made in a threatening or coercive manner.
 - 2. If the original recording is provided, a copy of the recording should be provided to the recording party, if practicable. The recording party should be permitted to be present while the copy is being made, if feasible. Another way to obtain the evidence is to transmit a copy of the recording from a device to a department-owned device.

Recording devices and media that are seized will be submitted within the guidelines of the Property and Evidence Section Policy.

Homeless Persons

423.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that department members understand the needs and rights of the homeless, and to establish procedures to guide them during all contacts with the homeless, whether consensual or for enforcement purposes.

423.2 POLICY

It is the policy of the West Lafayette Police Department to protect the rights, dignity and private property of all members of the community, including people who are homeless. Abuse of authority to harass any member of the community will not be permitted. The West Lafayette Police Department will address the needs of homeless persons in balance with the overall mission of this department.

Homelessness is not a crime and members will not use homelessness as the sole basis for detention or law enforcement action.

423.3 LIAISON TO THE HOMELESS COMMUNITY

The West Lafayette Police Department maintains a professional relationship with the Valley Oaks Health and should utilize their Projects for Assistance in Transitions from Homelessness (PATH) Program whenever possible.

When a homeless camp is located on city property officers are to contact the West Lafayette Park and Recreation Department (765-775-5110) to make them aware of the location of the camp.

Officers will then contact the PATH team (765-423-2638) and inform them of the camp and any other relevant information. Officers do not need to standby to await the arrival of PATH team members.

Officers will document the incident in a case report and follow up with the PATH team member who responded.

423.4 HOMELESS CAMP PROTOCOL

Once a camp is reported, the responding officer should request the West Lafayette Social Service & Crisis Response Specialist also be en route. If the homeless are located, they will be advised of the West Lafayette camping ordinance (Sec. 30-54) and informed that camping is not permitted in city spaces.

During this encounter with the homeless individual(s), the West Lafayette Social Service and Crisis Response Specialist, should attempt contact with a member of the PATH Team. PATH Team members will be requested to come to the camp and speak with the homeless individual(s). If the homeless individual(s) are not present, PATH should still be contacted and advised of the camp's location. The West Lafayette Social Service & Crisis Response Specialist will contact area shelters to check on the availability of a bed if the homeless individual is agreeable. If a bed is

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available, the homeless individual will be provided with that information and offered assistance getting to the shelter.

If there are no beds available, the homeless individual(s) will be given 24 hours to collect their belongings and vacate the property. Officers and/or the West Lafayette Social Service & Crisis Response Specialist should recontact these individuals within 24 hours, again, check for shelter availability and secure a bed if possible. Upon checking 24 hours after the first notification and warning, the homeless individual(s) will vacate the premises.

423.5 MENTAL HEALTH ISSUES

When mental health issues are evident, officers should consider referring the person to the appropriate mental health agency or providing the person with contact information for mental health assistance, as appropriate. In these circumstances, officers may provide transportation to a mental health facility for voluntary evaluation if it is requested or offered and accepted by the person.. The West Lafayette Social Service and Crisis Response Specialist should be consulted and/or assist when possible on best course of action when dealing with a homeless individual that may have mental health issues. Officers should consider detaining the person under involuntary commitment or emergency admission when facts and circumstances reasonably indicate such a detention is warranted and approved by a supervisor. (see the Involuntary Detentions Policy).

423.6 PERSONAL PROPERTY

The personal property of homeless persons must not be treated differently than the property of other members of the community. Officers should use reasonable care when handling, collecting and retaining the personal property of homeless persons and should not destroy or discard the personal property of a homeless person.

Officers who encounter unattended encampments, bedding or other personal property in public areas that reasonably appears to belong to a homeless person should not remove or destroy such property and should inform the PATH liaison if such property appears to involve a trespass, is a blight to the community or is the subject of a complaint.

A. If the homeless individual(s) has too much property to be taken with them to the homeless shelter, WLNRT will be contacted to collect said property and store it in a secure bay at WLPD temporarily until arrangements can be made with the owner to collect their remaining property.

B. Abandoned Camp in City Parks- If a homeless camp has been found to be abandoned or it has been determined it will be dismantled and is in a city park, contact should be made with WLNRT and the Parks Department (765-775-5110). WLNRT will collect personal property for storage and the Parks Department will be responsible for cleaning up trash, soiled or unsafe items for storage.

C. Abandoned Camp on Other City Property- If a homeless camp has been found to be abandoned or it has been determined it will be dismantled and is on any other city property, contact should be made with WLNRT and the Street Department (765-775-5242). WLNRT

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will collect personal property for storage and the Street Department will be responsible for cleaning up trash, soiled or unsafe items for storage.

Any property that is stored at WLPD will only be held for 90 days before it will be destroyed. Individuals should be notified of the 90-day storage policy.

All actions taken should be documented in a written report and on body worn camera.

Medical Aid and Response

424.1 PURPOSE AND SCOPE

This policy recognizes that members often encounter persons in need of medical aid and establishes a law enforcement response to such situations.

424.2 POLICY

It is the policy of the West Lafayette Police Department that all officers and other designated members be trained to provide emergency medical aid and to facilitate an emergency medical response.

424.3 FIRST RESPONDING MEMBER RESPONSIBILITIES

Whenever practicable, members should take appropriate steps to provide initial medical aid (e.g., first aid, CPR, use of an AED) in accordance with their training and current certification levels. This should be done for those in need of immediate care and only when the member can safely do so.

Prior to initiating medical aid, the member should contact the Dispatch Center and request response by emergency medical services (EMS) as the member deems appropriate.

Members should follow universal precautions when providing medical aid, such as wearing gloves and avoiding contact with bodily fluids, consistent with the Communicable Diseases Policy. Members should use a barrier or bag device to perform rescue breathing.

When requesting EMS, the member should provide the Dispatch Center with information for relay to EMS personnel in order to enable an appropriate response including:

- (a) The location where EMS is needed.
- (b) The nature of the incident.
- (c) Any known scene hazards.
- (d) Information on the person in need of EMS, such as:
 - 1. Signs and symptoms as observed by the member.
 - 2. Changes in apparent condition.
 - 3. Number of patients, sex, and age, if known.
 - 4. Whether the person is conscious, breathing, and alert, or is believed to have consumed drugs or alcohol.
 - 5. Whether the person is showing signs of extreme agitation or is engaging in violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics, and imperviousness to pain.

Members should stabilize the scene whenever practicable while awaiting the arrival of EMS.

Members should not direct EMS personnel whether to transport the person for treatment.

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424.4 TRANSPORTING ILL AND INJURED PERSONS

Except in exceptional cases where alternatives are not reasonably available, members should not transport persons who are unconscious, who have serious injuries or who may be seriously ill. EMS personnel should be called to handle patient transportation.

Officers should search any person who is in custody before releasing that person to EMS for transport.

An officer should accompany any person in custody during transport in an ambulance when requested by EMS personnel, when it reasonably appears necessary to provide security, when it is necessary for investigative purposes or when so directed by a supervisor.

Members should not provide emergency escort for medical transport or civilian vehicles.

424.5 PERSONS REFUSING EMS CARE

If a person who is not in custody refuses EMS care or refuses to be transported to a medical facility, an officer shall not force that person to receive medical care or be transported.

However, members may assist EMS personnel when EMS personnel determine the person lacks the mental capacity to understand the consequences of refusing medical care or to make an informed decision and the lack of immediate medical attention may result in serious bodily injury or the death of the person.

In cases where mental illness may be a factor, the officer should proceed with an involuntary commitment in accordance with the Involuntary Detentions Policy.

If an officer believes that a person who is in custody requires EMS care and the person refuses, he/she should encourage the person to receive medical treatment. The officer may also consider contacting a family member to help persuade the person to agree to treatment or who may be able to authorize treatment for the person.

If the person still refuses, the officer will require the person to be transported to the nearest medical facility. In such cases, the officer should consult with a supervisor prior to the transport.

424.5.1 SICK OR INJURED ARRESTEE

If an arrestee appears ill or injured, or claims illness or injury, he/she should be medically cleared prior to booking. If the officer has reason to believe the arrestee is feigning injury or illness, the officer should contact a supervisor, who will determine whether medical clearance will be obtained prior to booking.

Arrestees who appear to have a serious medical issue should be transported by ambulance. Officers shall not transport the arrestee to a hospital without a supervisor's approval.

424.6 MEDICAL ATTENTION RELATED TO USE OF FORCE

Specific guidelines for medical attention for injuries sustained from a use of force may be found in the Use of Force, Handcuffing and Restraints, Control Devices and Conducted Energy Device policies.

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424.7 AIR AMBULANCE

Generally, when on-scene, EMS personnel will be responsible for determining whether an air ambulance response should be requested. An air ambulance may be appropriate when there are victims with life-threatening injuries or who require specialized treatment (e.g., gunshot wounds, burns, obstetrical cases), and distance or delays will affect the EMS response.

Headlights, spotlights and flashlights should not be aimed upward at the air ambulance. Members should direct vehicle and pedestrian traffic away from the landing zone.

Members shall follow these cautions when near an air ambulance:

- Never approach the aircraft until signaled by the flight crew.
- Always approach the aircraft from the front.
- Avoid the aircraft's tail rotor area.
- Wear eye protection during the landing and take-off.
- Do not carry or hold items, such as IV bags, above the head.
- Ensure that no one smokes near the aircraft.

424.8 AUTOMATED EXTERNAL DEFIBRILLATOR (AED) USE

The West Lafayette Police Department will train officers on the operation of the AED.

Any member using an AED will complete an incident report detailing its use.

Following use of an AED:

- (a) The member shall notify EMS as soon as practicable (I.C. § 16-31-6.5-6).
- (b) The electrodes and/or pads will be replaced as outlined by the AED manufacturer.

The West Lafayette Police Department shall notify the ambulance provider that provides emergency services to the City of the location of AEDs maintained by the Department (I.C. § 16-31-6.5-5).

424.9 ADMINISTRATION OF OPIOID OVERDOSE MEDICATION

An officer who has received training may administer opioid overdose medication in accordance with standards established by the Indiana Emergency Medical Services Commission (I.C. § 16-31-3-23.5).

424.9.1 DEFINITIONS

Overdose Intervention Drug – a prescription medication used to reverse opioid overdose.

Naloxone (Narcan) – the generic drug name of the overdose intervention drug referred to in this policy.

Medical Director – a medical physician who oversees and directs the training for the West Lafayette Police Department overdose intervention program, and issues standing orders for Naloxone.

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Opioid – For the purposes of this policy the term opioid includes opioid and opiate drugs. The term includes opium-like natural, synthetic, and semi-synthetic narcotic drugs that act on the body's opioid receptors causing analgesia and respiratory system depression. Opioids include, but are not limited to, heroin, morphine, hydrocodone, oxycodone, hydromorphone, etc.

424.9.2 ISSUANCE AND STORAGE

1. Upon completion of required training, each officer in the Uniform Division will be issued 1 one kit containing a single dose of Naloxone.

- a. This kit is considered equipment for purposes as outlined in policy.
- b. Officers shall store Naloxone at the recommended storage temperature range.
- c. Kits are not to be stored in the vehicle, but may be carried on the officer or in a duty bag.

2. Kits must be maintained in a state of Operational Readiness

- a. The Special Services Captain shall be responsible for replacing unused dosages if the dosages are beyond the recommended shelf life.

3. Spare Naloxone kits will be stored in the medical supply area at the West Lafayette Police Department, and at the West Lafayette Fire Departments.

4. After administering Naloxone, officers shall replace the used ampule through the West Lafayette medical storage area, or from the WLFD unit on scene.

424.9.3 NALOXONE ADMINISTRATION

If a person has respiratory depression or is unresponsive officers may nasally administer Naloxone into the person's nostrils by use of a nasal atomizer.

Officers who administer Naloxone shall:

- a. Ensure EMS and Fire are called to the scene; and
- b. Administer the Naloxone as instructed in the required training.
- c. Patient given Naloxone cannot sign a refusal of treatment. They must be transferred to the hospital.

424.9.4 OPIOID OVERDOSE MEDICATION USER RESPONSIBILITIES

Members who are qualified to administer opioid overdose medication, such as naloxone, should handle, store and administer the medication consistent with their training. Members should check the medication and associated administration equipment at the beginning of their shift to ensure they are serviceable and not expired. Any expired medication or unserviceable administration equipment should be removed from service and given to the Captain of Special Services.

424.9.5 OPIOID OVERDOSE MEDICATION REPORTING

Any member administering opioid overdose medication should detail its use in an appropriate report.

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Members administering the medication should report the use to the local ambulance service provider responsible for reporting to the state health commissioner (I.C. § 16-31-3-23.7).

424.9.6 OPIOID OVERDOSE MEDICATION TRAINING

The Training Officer should ensure training is provided to members authorized to administer opioid overdose medication that meets the standards established by law (I.C. § 16-31-3-23.5(a)).

First Amendment Assemblies

425.1 PURPOSE AND SCOPE

This policy provides guidance for responding to public assemblies or demonstrations.

425.2 POLICY

The West Lafayette Police Department respects the rights of people to peaceably assemble. It is the policy of this department not to unreasonably interfere with, harass, intimidate or discriminate against persons engaged in the lawful exercise of their rights, while also preserving the peace, protecting life and preventing the destruction of property.

425.3 GENERAL CONSIDERATIONS

Individuals or groups present on the public way, such as public facilities, streets or walkways, generally have the right to assemble, rally, demonstrate, protest or otherwise express their views and opinions through varying forms of communication, including the distribution of printed matter.

These rights may be limited by laws or ordinances regulating such matters as:

- Obstruction of traffic (I.C. § 35-44.1-2-13)
- Trespass (I.C. § 35-43-2-2)
- Noise (I.C. § 35-45-1-3)
- Picketing
- Unlawful Assembly (I.C. § 16-41-22-1 et seq.)
- Distribution of handbills and leafleting
- Loitering
- Rioting (I.C. § 35-45-1-2)
- Disruptive conduct at funerals or memorial services (I.C. § 35-45-1-3)
- Disorderly conduct (I.C. § 35-45-1-3)
- Control of mass gatherings (I.C. § 16-41-22-1 et seq.)
- Flag desecration (I.C. § 35-45-1-4)
- Unlawful promotion, organization or participation in combative fighting (I.C. § 35-45-18-2; I.C. 35-45-18-3)
- Obstruction of a firefighter (I.C. § 35-44.1-4-8)
- Obstruction of an emergency medical person (I.C. § 35-44.1-4-9)
- Resisting law enforcement (I.C. § 35-44.1-3-1)

However, officers shall not take action or fail to take action based on the opinions being expressed.

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Participant behavior during a demonstration or other public assembly can vary. This may include, but is not limited to:

- Lawful, constitutionally protected actions and speech.
- Civil disobedience (typically involving minor criminal acts).
- Rioting.

All of these behaviors may be present during the same event. Therefore, it is imperative that law enforcement actions are measured and appropriate for the behaviors officers may encounter. This is particularly critical if force is being used. Adaptable strategies and tactics are essential.

The purpose of a law enforcement presence at the scene of public assemblies and demonstrations should be to preserve the peace, to protect life and prevent the destruction of property.

Officers should not:

- Engage in assembly or demonstration-related discussion with participants.
- Harass, confront or intimidate participants.
- Seize the cameras, cell phones or materials of participants or observers unless an officer is placing a person under lawful arrest.

Supervisors should continually observe department members under their commands to ensure that members' interaction with participants and their response to crowd dynamics is appropriate.

425.4 UNPLANNED EVENTS

When responding to an unplanned or spontaneous public gathering, the first responding officer should conduct an assessment of conditions, including, but not limited to, the following:

- Location
- Number of participants
- Apparent purpose of the event
- Leadership (whether it is apparent and/or whether it is effective)
- Any initial indicators of unlawful or disruptive activity
- Indicators that lawful use of public facilities, streets or walkways will be impacted
- Ability and/or need to continue monitoring the incident

Initial assessment information should be promptly communicated to the Dispatch Center. Additional resources should be requested as appropriate. A clearly defined command structure that is consistent with the Incident Command System (ICS) should be established as resources are deployed.

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425.5 PLANNED EVENT PREPARATION

For planned events, comprehensive, incident-specific operational plans should be developed. The ICS should be considered for such events.

425.5.1 INFORMATION GATHERING AND ASSESSMENT

In order to properly assess the potential impact of a public assembly or demonstration on public safety and order, relevant information should be collected and vetted. This may include:

- Information obtained from outreach to group organizers or leaders.
- Information about past and potential unlawful conduct associated with the event or similar events.
- The potential time, duration, scope, and type of planned activities.
- Any other information related to the goal of providing a balanced response to criminal activity and the protection of public safety interests.

Information should be obtained in a transparent manner, and the sources documented. Relevant information should be communicated to the appropriate parties in a timely manner.

Information will be obtained in a lawful manner and will not be based solely on the purpose or content of the assembly or demonstration, or actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability of the participants (or any other characteristic that is unrelated to criminal conduct or the identification of a criminal subject).

425.5.2 OPERATIONAL PLANS

An operational planning team with responsibility for event planning and management should be established. The planning team should develop an operational plan for the event.

The operational plan will minimally provide for:

- (a) Command assignments, chain of command structure, roles and responsibilities.
- (b) Staffing and resource allocation.
- (c) Management of criminal investigations.
- (d) Designation of uniform of the day and related safety equipment (helmets, shields, etc.).
- (e) Deployment of specialized resources.
- (f) Event communications and interoperability in a multijurisdictional event.
- (g) An established liaison with demonstration leaders and external agencies.
- (h) An established liaison with City government and legal staff.
- (i) Media relations.
- (j) Logistics: food, fuel, replacement equipment, duty hours, relief and transportation.
- (k) Traffic management plans.

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- (l) First aid and emergency medical service provider availability.
- (m) Prisoner transport and detention.
- (n) Review of policies regarding public assemblies and use of force in crowd control.
- (o) Parameters for declaring an unlawful assembly.
- (p) Arrest protocol, including management of mass arrests.
- (q) Protocol for recording information flow and decisions.
- (r) Rules of engagement, including rules of conduct, protocols for field force extraction and arrests, and any authorization required for the use of force.
- (s) Protocol for handling complaints during the event.
- (t) Parameters for the use of body-worn cameras and other portable recording devices.

425.5.3 MUTUAL AID AND EXTERNAL RESOURCES

The magnitude and anticipated duration of an event may necessitate interagency cooperation and coordination. The assigned Incident Commander should ensure that any required memorandums of understanding or other agreements are properly executed, and that any anticipated mutual aid is requested and facilitated (see the Outside Agency Assistance Policy).

425.5.4 MASS GATHERING LICENSE

Any event that is likely to attract 5,000 or more people and continue for more than 18 consecutive hours requires a license. Applicants for such a license shall be submitted to the Chief of Police (I.C. § 16-41-22-5).

The Chief of Police shall forward the application with recommendations to the health department on the same day the application is received. Upon return of the application from the health department the Chief of Police shall notify the applicant within five days that the application has been disapproved by the health department or whether the Chief of Police will issue the license (I.C. § 16-41-22-12).

425.6 UNLAWFUL ASSEMBLY DISPERSAL ORDERS

If a public gathering or demonstration remains peaceful and nonviolent, and there is no reasonably imminent threat to persons or property, the Incident Commander should generally authorize continued monitoring of the event.

Should the Incident Commander make a determination that public safety is presently or is about to be jeopardized, he/she or the authorized designee should attempt to verbally persuade event organizers or participants to disperse of their own accord. Warnings and advisements may be communicated through established communications links with leaders and/or participants or to the group.

When initial attempts at verbal persuasion are unsuccessful, the Incident Commander or the authorized designee should make a clear, standardized announcement to the gathering that

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the event is an unlawful assembly, and should order the dispersal of the participants. The announcement should be communicated by whatever methods are reasonably available to ensure that the content of the message is clear and that it has been heard by the participants. The announcement should be amplified, made in different languages as appropriate, made from multiple locations in the affected area and documented by audio and video. The announcement should provide information about what law enforcement actions will take place if illegal behavior continues and should identify routes for egress. A reasonable time to disperse should be allowed following a dispersal order.

425.7 USE OF FORCE

Use of force is governed by current department policy and applicable law (see the Use of Force, Handcuffing and Restraints, Control Devices, and Conducted Energy Device policies).

Individuals refusing to comply with lawful orders (e.g., nonviolent refusal to disperse) should be given a clear verbal warning and a reasonable opportunity to comply. If an individual refuses to comply with lawful orders, the Incident Commander shall evaluate the type of resistance and adopt a reasonable response in order to accomplish the law enforcement mission (such as dispersal or arrest of those acting in violation of the law). Control devices and conducted energy devices should be considered only when the participants' conduct reasonably appears to present the potential to harm officers, themselves or others, or will result in substantial property loss or damage (see the Control Devices and the Conducted Energy Device policies).

Force or control devices, including oleoresin capsaicin (OC), should be directed toward individuals and not toward groups or crowds, unless specific individuals cannot reasonably be targeted due to extreme circumstances, such as a riotous crowd.

Any use of force by a member of this department shall be documented promptly, completely, and accurately in an appropriate report. The type of report required may depend on the nature of the incident.

425.8 ARRESTS

The West Lafayette Police Department should respond to unlawful behavior in a manner that is consistent with the operational plan. If practicable, warnings or advisements should be communicated prior to arrest.

Mass arrests should be employed only when alternate tactics and strategies have been or reasonably appear likely to be unsuccessful. Mass arrests shall only be undertaken upon the order of the Incident Commander or the authorized designee. There must be probable cause for each arrest.

If employed, mass arrest protocols should fully integrate:

- (a) Reasonable measures to address the safety of officers and arrestees.
- (b) Timely access to medical care.
- (c) Timely access to legal resources.

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- (d) Timely processing of arrestees.
- (e) Full accountability for arrestees and evidence
- (f) Coordination and cooperation with the prosecuting authority, jail and courts (see the Summons Release Policy).

425.9 MEDIA RELATIONS

The Public Information Officer should use all available avenues of communication, including press releases, briefings, press conferences and social media, to maintain open channels of communication with media representatives and the public about the status and progress of the event, taking all opportunities to reassure the public about the professional management of the event (see the Media Relations Policy).

425.10 DEMOBILIZATION

When appropriate, the Incident Commander or the authorized designee should implement a phased and orderly withdrawal of law enforcement resources. All relieved personnel should promptly complete any required reports, including use of force reports, and account for all issued equipment and vehicles to their supervisors prior to returning to normal operational duties.

425.11 POST EVENT

The Incident Commander should designate a member to assemble full documentation of the event, to include the following:

- (a) Operational plan
- (b) Any incident logs
- (c) Any assignment logs
- (d) Vehicle, fuel, equipment and supply records
- (e) Incident, arrest, use of force, injury and property damage reports
- (f) Photographs, audio/video recordings, the Dispatch Center records/tapes
- (g) Media accounts (print and broadcast media)

425.11.1 AFTER-ACTION REPORTING

The Incident Commander should work with City legal counsel, as appropriate, to prepare a comprehensive after-action report of the event, to include the following:

- (a) Date, time and description of the event
- (b) Actions taken and outcomes (e.g., injuries, property damage, arrests, costs)
- (c) Problems identified
- (d) Significant events

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- (e) Recommendations for improvement; opportunities for training should be documented in a generic manner, without identifying individuals or specific incidents, facts or circumstances.

Suspicious Activity Reporting

426.1 PURPOSE AND SCOPE

This policy provides guidelines for reporting and investigating suspicious and criminal activity.

426.1.1 DEFINITIONS

Definitions related to this policy include:

Involved party - An individual who has been observed engaging in suspicious activity, as defined in this policy, when no definitive criminal activity can be identified, thus precluding the person's identification as a suspect.

Suspicious activity - Any reported or observed activity that a member reasonably believes may have a nexus to any criminal act or attempted criminal act, or to foreign or domestic terrorism. Actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability should not be considered as factors that create suspicion (although these factors may be used as specific suspect descriptions). Examples of suspicious activity may include but are not limited to:

- Suspected pre-operational surveillance or intelligence gathering (e.g., photographing security features, asking questions about sensitive security-related subjects).
- Tests of security measures and response to incidents (e.g., "dry run," creating false alarms, attempts to enter secure areas without authorization).
- Suspicious purchases (e.g., purchasing large quantities of otherwise legal items, such as fertilizer, that could be used to create an explosive or other dangerous device).
- An individual in possession of such things as a hoax explosive or dispersal device, sensitive materials (e.g., passwords, access codes, classified government information), or coded or ciphered literature or correspondence.

Suspicious Activity Report (SAR) - An incident report used to document suspicious activity.

426.2 POLICY

The West Lafayette Police Department recognizes the need to protect the public from criminal conduct and acts of terrorism, and shall lawfully collect, maintain and disseminate information regarding suspicious activities, while safeguarding civil liberties and privacy protections.

426.3 RESPONSIBILITIES

The Criminal Investigation Commander and authorized designees will manage SAR activities. Authorized designees should include supervisors who are responsible for department participation in criminal intelligence systems as outlined in the Criminal Organizations policy.

The responsibilities of the Criminal Investigation Commander include, but are not limited to:

- (a) Remaining familiar with those databases available to the Department that would facilitate the purpose of this policy.

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- (b) Maintaining adequate training in the area of intelligence gathering to ensure no information is being maintained that would violate the law or civil rights of any individual.
- (c) Ensuring a process is available that would allow members to report relevant information. The process should be designed to promote efficient and quick reporting, and should not be cumbersome, duplicative or complicated.
- (d) Ensuring that members are made aware of the purpose and value of documenting information regarding suspicious activity, as well as the databases and other information resources that are available to the Department.
- (e) Ensuring that SAR information is appropriately disseminated to members in accordance with their job responsibilities.
- (f) Coordinating investigative follow-up, if appropriate.
- (g) Coordinating with any appropriate agency or fusion center.
- (h) Ensuring that, as resources are available, the Department conducts outreach that is designed to encourage members of the community to report suspicious activity and that outlines what they should look for and how they should report it (e.g., website, public service announcements).

426.4 REPORTING AND INVESTIGATION

Any department member receiving information regarding suspicious activity should take any necessary immediate and appropriate action, including a request for tactical response or immediate notification of specialized entities, when applicable. Any civilian member who receives such information should ensure that it is passed on to an officer in a timely manner.

If the suspicious activity is not directly related to a reportable crime, the member should prepare a SAR and include information about involved parties and the circumstances of the incident. If, during any investigation, an officer becomes aware of suspicious activity that is unrelated to the current investigation, the information should be documented separately in a SAR and not included in the original incident report. The report number of the original incident should be included in the SAR as a cross reference. A SAR should be processed as any other incident report.

Civil Disputes

427.1 PURPOSE AND SCOPE

This policy provides members of the West Lafayette Police Department with guidance for addressing conflicts between persons when no criminal investigation or enforcement action is warranted (e.g., civil matters), with the goal of minimizing any potential for violence or criminal acts.

The Domestic or Family Violence Policy will address specific legal mandates related to domestic violence court orders. References in this policy to “court orders” apply to any order of a court that does not require arrest or enforcement by the terms of the order or by Indiana law.

427.2 POLICY

The West Lafayette Police Department recognizes that a law enforcement presence at a civil dispute can play an important role in the peace and safety of the community. Subject to available resources, members of this department will assist at the scene of civil disputes with the primary goal of safeguarding persons and property, preventing criminal activity and maintaining the peace. When handling civil disputes, members will remain impartial, maintain a calm presence, give consideration to all sides and refrain from giving legal or inappropriate advice.

427.3 GENERAL CONSIDERATIONS

When appropriate, members handling a civil dispute should encourage the involved parties to seek the assistance of resolution services or take the matter to the civil courts. Members must not become personally involved in disputes and shall at all times remain impartial.

While not intended to be an exhaustive list, members should give considerations to the following when handling civil disputes:

- (a) Civil disputes tend to be confrontational and members should be alert that they can escalate to violence very quickly. De-escalation techniques should be used when appropriate.
- (b) Members should not dismiss alleged or observed criminal violations as a civil matter and should initiate the appropriate investigation and report when criminal activity is apparent.
- (c) Members shall not provide legal advice, however, when appropriate, members should inform the parties when they are at risk of violating criminal laws.
- (d) Members are reminded that they shall not enter a residence or other non-public location without legal authority.
- (e) Members should not take an unreasonable amount of time assisting in these matters and generally should contact a supervisor if it appears that peacekeeping efforts longer than 30 minutes are warranted.

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427.4 COURT ORDERS

Disputes involving court orders can be complex. Where no mandate exists for an officer to make an arrest for a violation of a court order, the matter should be addressed by documenting any apparent court order violation in a report. If there appears to be a more immediate need for enforcement action, the investigating officer should consult a supervisor prior to making any arrest.

If a person appears to be violating the terms of a court order but is disputing the validity of the order or its applicability, the investigating officer should document the following:

- (a) The person's knowledge of the court order or whether proof of service exists.
- (b) Any specific reason or rationale the involved person offers for not complying with the terms of the order.

A copy of the court order should be attached to the report when available. The report should be forwarded to the appropriate prosecutor. The report should also be forwarded to the court issuing the order with a notice that the report was also forwarded to the prosecutor for review.

427.4.1 STANDBY REQUESTS

Officers responding to a call for standby assistance to retrieve property should meet the person requesting assistance at a neutral location to discuss the process. The person should be advised that items that are disputed will not be allowed to be removed. The member may advise the person to seek private legal advice as to the distribution of disputed property.

Members should accompany the person to the location of the property. Members should ask if the other party will allow removal of the property or whether the other party would remove the property.

If the other party is uncooperative, the person requesting standby assistance should be instructed to seek private legal advice and obtain a court order to obtain the items. Officers should not order the other party to allow entry or the removal of any items. If there is a restraining or similar order against the person requesting standby assistance, that person should be asked to leave the scene or they may be subject to arrest for violation of the order.

If the other party is not present at the location, the member will not allow entry into the location or the removal of property from the location.

427.5 VEHICLES AND PERSONAL PROPERTY

Officers may be faced with disputes regarding possession or ownership of vehicles or other personal property. Officers may review documents provided by parties or available databases (e.g., vehicle registration), but should be aware that legal possession of vehicles or personal property can be complex. Generally, officers should not take any enforcement action unless a crime is apparent. The people and the vehicle or personal property involved should be identified and the incident documented.

427.6 REAL PROPERTY

Disputes over possession or occupancy of real property (e.g., land, homes, apartments) should generally be handled through a person seeking a court order.

School Resource Officers

428.1 PURPOSE AND SCOPE

This policy describes the West Lafayette Police Department School Resource Officer (SRO) program.

428.2 POLICY

The West Lafayette Police Department is committed to enhancing the safety of students and faculty on campuses located in the department's jurisdiction by forming a partnership with school administrators, faculty members and students.

428.3 SCHOOL RESOURCE OFFICER PROGRAM

The Chief of Police should appoint SRO(s) to serve in public elementary and secondary schools upon agreement with local school corporations or charter schools. The agreement should cover paid services, where applicable. The agreement should also include the SRO's duties and responsibilities as outlined below (I.C. § 20-26-18.2-2).

The goals and objectives of the SRO program include but are not limited to (I.C. § 20-26-18.2-1):

- (a) Assisting with the development and implementation of a school safety plan.
- (b) Protecting the school against external threats to the safety of the students, preventing unauthorized access to school property, and securing the school against a natural disaster or other violence.
- (c) Creating respect for law and order in the public school system and minimizing criminal activity.
- (d) Identifying students at risk of becoming involved in the criminal justice system and guiding them toward more positive and socially acceptable ways to behave.
- (e) Reducing criminal activity on or near a school campus.
- (f) Enhancing communication and understanding between students, their families, district staff, and the Department.
- (g) Assisting with the coordination of security measures for school activities such as sports events, dances, and other large gatherings.
- (h) Auditing security measures, at least annually, throughout the school and making recommendations to enhance safety and reduce risk.

428.4 SCHOOL RESOURCE OFFICER DUTIES

SRO duties are, but not limited to:

- (a) Responding to calls and the preliminary investigation of criminal offenses that occur on student-occupied property while the SRO is on-duty or during school hours.
- (b) Conducting follow-up investigations of misdemeanor offenses that occur on student-occupied property during school hours.

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- (c) Assisting the Criminal Investigation Division with follow-up investigations that originate on student-occupied property or involve a student.
- (d) Providing education for students, faculty and administrators as requested and when available regarding law enforcement functions.
- (e) Assisting faculty and administrators in establishing policies that contribute to the safety of school staff and students.
- (f) Participating in student conferences, as requested and appropriate.

428.4.1 CHAIN OF COMMAND

Officers should follow their assigned department chain of command during investigations of criminal activity. Assigned activities that are not criminal in nature may be overseen or directed by the school principal or the authorized designee or as otherwise provided in the agreement for services.

428.5 MEMORANDUM OF UNDERSTANDING

For further details refer to the MOU with WLCSC within chapter 2 of the policy manual

Escorts

429.1 ESCORTS

429.1.1 POLICY

The West Lafayette Police Department will provide police escorts for funerals and business related money transports. The escorts will be conducted at the discretion of the shift commander as manpower allows.

429.1.2 PURPOSE

To provide officers the basic information on what type of escorts the West Lafayette Police Department conducts.

429.2 THE ORDER

429.2.1 FUNERAL ESCORTS

Shift Command/Dispatch upon receiving a request for a funeral escort, Dispatch will obtain the following information:

- The name of the person making the request.
- The name of the Funeral Home they represent.
- Phone Number for recontacting.
- Time escort requested.
- Point where escort will originate and destination.

Officers Responsibilities:

The officer will then go to the point of origin. The officer should arrive a few minutes prior to the time of the escort.

The officer will activate the emergency lights on their patrol units, (i.e.: Red and Blue, flashing/rotating, and wigwag).

The officer will then assume a position in front of the hearse and lead the funeral procession. The escort will follow a predetermined route to the designated location.

The speed of the escort should be kept as close to 20 MPH as possible. This may vary due to route, length of procession and other variables.

The officer may request an additional officer to assist at busy intersections. The officer should advise dispatch when they pick up the escort and when they complete it. At completion of the escort, the officer will resume normal patrol duties.

429.2.2 REQUEST FOR MEDICAL ESCORTS

The West Lafayette Police Department will not give escorts to individuals for medical reasons.

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Dispatch should first encourage the subject to stay where they are and let the police department dispatch WLFD and EMS to their location. If this does not work, we will offer to assist the individual by contacting EMS and have them meet with the individual while enroute to the hospital. Dispatch will need to obtain the following:

- Which hospital they are enroute to
- Route of travel
- Vehicle description and license number for EMS
- Pertinent information on the ill or injured subject, so the information can be relayed to EMS.

Dispatch will need to inform the subject to watch for the ambulance and pull over and stop.

Fireworks Enforcement

430.1 PURPOSE

To provide guidelines and direction for the enforcement of the City of West Lafayette Ordinance regulating the use of consumer fireworks.

430.2 POLICY

The West Lafayette Police Department will respond to complaints and enforce the City of West Lafayette Ordinance regulating the use of consumer fireworks. The members of the police department realize that the use of fireworks can cause personal injury, increase the fire hazards to its citizens, and disturb the peace and tranquility of the City.

430.3 ENFORCEMENT PROCEDURE

1. Police Officers will respond to complaints made concerning illegal fireworks.
2. Police Officers may issue citations against persons who violate West Lafayette City Code section 63.40. The ticket will be issued with a mandatory court date in West Lafayette City Court.
3. Police Officers may seize and dispose of the illegal fireworks that are used in violation of this ordinance.

B. Dates and times consumer fireworks are allowed within the City, on private property, with the consent of the owner or lessee of that property

1. Between the hours of 5:00 p.m. and two (2) hours after sunset on June 29, June 30, July 1, July 2, July 3, July 5, July 6, July 7, July 8, and July 9.
2. Between the hours of 10:00 a.m. and 12:00 midnight on July 4th.
3. Between the hours of 10:00 a.m. on December 31 and 1:00 a.m. on January 1, and between the hours of 5:00 p.m. and two (2) hours after sunset on January 1.

Alarm Response Guidelines

431.1 PURPOSE

To establish protocol for police response to active alarm calls for service.

431.2 POLICY

In order to establish consistent policy for response to alarm calls for service, the following guidelines have been established for the safety of the officers and citizens.

431.3 DEFINITION

Routine response: The officer(s) will respond to the location in a normal driving manner. Traffic laws should be obeyed.

Emergency response: The officer(s) will respond as quickly and safely as possible to the location, exercising due regard in the operation of their vehicle, keeping the safety of pedestrians and other motor vehicles in mind. Officers operating in the emergency mode shall use emergency lights. Officers may in conjunction with emergency lights use any other warning devices available. Officers may be operating in the emergency mode with only the emergency lights activated but need to exercise extreme caution in doing so. Officers need to be aware that the use of sirens when approaching alarm calls could create a hostage situation in the event of a robbery in progress. Officers also need to be aware that the sound of a siren travels for a great distance.

431.4 BANK ALARMS

A. Once a bank alarm is received by dispatch, all WLPD patrol units will be dispatched. Patrol units will be authorized to handle this as an emergency response, if during normal business hours. If alarm is after normal business hour's patrol units will respond as a closed business alarm. Officers should remember to shut off the siren, if in use, prior to arrival in the area of the alarm.

B. Dispatch will contact the bank by telephone. Once contact is made with an employee of the bank, the dispatch officer will ask, "Is Digby there?" If the employee replies "Yes", or responds with any answer other than "No", then the situation will be handled as a bank robbery in progress. If the employee responds "No", then the alarm will be deemed as false and all units will immediately be advised to disregard with the exception of the district car or closest unit. At this time the one car still in route will handle the call as a routine response.

C. If bank employees do not give the proper code, the alarm will be handled as a bank robbery in progress. All arriving units will establish a perimeter around the bank in order to observe for activity in and around the bank. Officers will not approach the bank until the "proper code" is given to dispatch or until advised to do so by a shift commander.

D. Once the alarm is deemed false, one officer will make contact outside the bank with a representative of the bank. Dispatch will provide a description of the employee to the officer and will advise the employee to approach the officer's patrol car. The officer will at this time obtain the pertinent name block information from the employee as well as the reason for the alarm.

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E. Under no circumstances should any radio traffic associated with bank alarms make reference to a “Code”.

431.5 RESIDENTIAL/CLOSED BUSINESS ALARMS

All residential/closed business alarms will be responded to in the following manner unless exigent or emergency circumstances exist. This will include response to a residential alarm.

B. Once an alarm is received by dispatch, at least two officers will be dispatched to the location; more officers may be dispatched if circumstances dictate. This will depend on the size of the location to be checked and any exigent circumstances that exist.

C. Officers will respond to the scene in a routine manner. Officers may at times need to respond in an emergency manner if emergency circumstances arise, i.e., officers arrive and locate forced entry or reports of intruders are received from neighbors.

D. Upon arrival at the location, officers will attempt to observe the residence/business for a short time. If no unusual activity is observed officers may approach the location and check the security of the building.

1. If any unusual activity or forced entry is observed, officers at the scene will establish a perimeter and if needed request additional units to assist with the search and perimeter. Officers in route to assist may respond in an emergency manner, keeping in mind that sirens can be heard for some distance.

2. In the event that an “open door” is located and no other signs of foul play are present, two or more officers may search the location for injuries or intruders.

3. On some occasions the alarm company may request an officer stand by at the location for the property owner or his representative. If manpower exists, we will stand by at the location. If no “key holder” is in route officers will clear the location after finding it to be secure.

431.6 HOLD-UP ALARMS/OPEN BUSINESS ALARMS

After receiving an active hold-up or alarm from an open business, dispatch will advise all units to respond. Units may respond in an emergency manner.

Upon arrival officers will establish a perimeter and observe for any unusual activity. Once the perimeter is established officers may request that the shift commander or dispatcher call the location by telephone in an attempt to determine the validity of the alarm. Officers will not approach the location until it is found that no problem exists inside. An exception will be made if exigent circumstances exist requiring officers to make entry, i.e. shots fired at employees.

At the discretion of the shift commander general alarms may also be handled as above.

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431.7 FIRE ALARMS

Upon receiving a fire alarm, dispatch will send one unit to the location. This officer may respond in an emergency manner as he may be required to begin an evacuation process. A second car may also be dispatched depending on the size of the location.

At times it may be necessary to dispatch more than two cars depending on information received, i.e. working fire and the size of the location that may need to be evacuated.

Chapter 5 - Traffic Operations

Traffic

500.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for improving public safety through education and enforcement of traffic-related laws.

500.2 POLICY

It is the policy of the West Lafayette Police Department to educate the public on traffic-related issues and to enforce traffic laws. The efforts of the Department will be driven by such factors as the location and/or number of traffic accidents, citizen complaints, traffic volume, traffic conditions and other traffic-related needs. The ultimate goal of traffic law enforcement and education is to increase public safety.

500.3 DEPLOYMENT

Enforcement efforts may include such techniques as geographic/temporal assignment of department members and equipment, the establishment of preventive patrols to deal with specific categories of unlawful driving and a variety of educational activities. These activities should incorporate methods that are suitable to the situation; timed to events, seasons, past traffic problems or locations; and, whenever practicable, preceded by enforcement activities.

Several factors will be considered in the development of deployment schedules for department members. State and local data on traffic accidents are a valuable resource. Factors for analysis include, but are not limited to, the following:

- Location
- Time
- Day
- Violation factors
- Requests from the public
- Construction zones
- School zones
- Special events

Department members assigned to uniformed patrol or traffic enforcement functions will emphasize the enforcement of violations that contribute to traffic accidents, and also will consider the hours and locations where traffic accidents tend to occur. Members will take directed enforcement action on request, and random enforcement action when appropriate. Members shall maintain high visibility while working general enforcement, especially in areas where traffic accidents frequently occur.

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500.3.1 TRAFFIC CONTROL PROCEDURES

The Captain of Patrol will develop procedures and training for traffic direction and control, to include:

- (a) Circumstances warranting traffic direction and control (e.g., traffic collisions, roadway hazards)
- (b) Uniform practices or other considerations for routing or re-directing vehicular traffic at or between intersections or away from hazards
- (c) Uniform hand gestures for manual traffic direction
- (d) Use of reflective clothing or vests while directing traffic
- (e) Procedures for manual operation of traffic control devices
- (f) Procedures for use of temporary traffic control devices

500.4 ENFORCEMENT

Traffic enforcement will be consistent with applicable laws and take into account the degree and severity of the violation committed. This department does not establish ticket quotas. The number of arrests or summons issued by any member shall not be used as the sole criterion for evaluating member overall performance.

Several methods are effective in the reduction of traffic accidents including but not limited to:

500.4.1 WARNINGS

Warnings are a non-punitive option that may be considered by the member when circumstances warrant, such as when a minor violation was inadvertent.

500.4.2 TRAFFIC INFORMATION AND SUMMONS

Traffic information and summons should be issued when a member believes it is appropriate. When issuing a summons for a traffic violation, it is essential that the rights and requirements imposed on motorists be fully explained. At a minimum, motorists should be provided with (I.C. § 9-30-3-6):

- (a) An explanation of the violation or charge.
- (b) The court appearance procedure, including the optional or mandatory appearance by the motorist.
- (c) A notice of whether the motorist can enter a plea and pay the fine by mail or at the court.

500.4.3 PHYSICAL ARREST

Physical arrest can be made on a number of criminal traffic offenses. These cases usually deal with, but are not limited to:

- (a) Accidents resulting in death (I.C. § 9-26-1-1.1).
- (b) Felony or misdemeanor hit-and-run (I.C. § 9-26-1-1.1).

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- (c) Felony and misdemeanor operating under the influence of alcohol or drugs (I.C. § 9-30-5-1 et seq.).
- (d) Refusal to sign a notice to appear (I.C. § 9-30-2-4).

500.4.4 NORM BASED ACTIVITY

Officers generally receive indirect supervision and are expected to resolve most situations on their own. They are responsible for their own time management during periods when they are not responding to complaints or calls for service. An Officer should realize that it is during these self-initiated times that Police Officers are able to provide specific proactive services within the community. An Officer's productivity shall be norm-based, that is, based on an average of similar work groups. While encouraged to excel in all areas, Officers shall minimally be expected to maintain a level of performance that is consistent with those of similar groups. The minimum acceptable activity is an average of 2 contacts per shift, per month. Officers are expected to make criminal arrests as it becomes necessary during their normal course of duty. Officers shall make arrests that are reasonable, prudent and necessary to maintain order, and to protect the citizens of West Lafayette.

500.4.5 SPECIAL CONSIDERATIONS

A non-resident violator should be handled consistent with any other traffic violator.

A government official (e.g., state or federal legislator) may be immune from arrest while going to, returning from, and attending sessions of the official's respective house, but the official is subject to traffic laws and may be issued a citation at the officer's discretion.

Military personnel who have committed a traffic violation should be handled consistent with any other traffic violator, with the exception of an expired driver's license due to active-duty service.

A driver who shows signs of diminished driving ability may be referred for reexamination. Requests for reexamination should be submitted in accordance with Bureau of Motor Vehicles guidelines.

500.5 SUSPENDED OR REVOKED LICENSES

If an officer contacts a traffic violator who is also operating on a suspended or revoked license, the officer should issue a traffic information and summons or make an arrest as appropriate (I.C. § 9-24-19-1; I.C. § 9-24-19-2; I.C. § 9-24-19-3).

500.5.1 OPERATING WHILE SUSPENDED INFRACTION

When officers make contact with a subject operating a motor vehicle and they are found to be suspended/infraction the following is policy:

- The driver will be issued a citation to appear in Tippecanoe County Superior Court according to current court schedules.
- If the offender's vehicle is towed a case report is required. If the vehicle is released to a valid driver, no case report is required.
- If reinstatement has passed, then cite for "No Valid License".

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500.5.2 NO VALID LICENSE

The No Valid License charge applies to a person who has a license from some other state but that fails to get a new license within 60 days of moving to Indiana.

500.5.3 OPERATING WHILE SUSPENDED MISDEMEANOR/PRIOR

When officers make contact with a subject operating a motor vehicle and they are found to be suspended misdemeanor or prior, the following is policy:

1. If reinstatement has passed, then cite for "No Valid License"..

3. DWS Prior and Misdemeanor:

a) If the driver resides in Tippecanoe County or a contiguous county, then the officer may, issue a summons to appear in lieu of physical arrest..

b) If the driver is an Indiana resident, but does not reside in Tippecanoe County or a contiguous county, then the officer may issue a summons to appear in lieu of physical arrest or arrest the driver and transport them to jail.

4. A summons into Tippecanoe County Court will be issued according to current county court schedules.

500.5.4 OUT OF STATE SUSPENSIONS AND OUT OF COUNTRY SUSPENSIONS

When officers make contact with an out of state or country suspended driver the following is policy:

Out of state or country suspensions will be handled as infractions.

500.6 OPERATING A MOTOR VEHICLE-NEVER RECEIVED LICENSE

When officers make contact with a subject operating a motor vehicle and he/she is found to be operating without ever having received a valid drivers license, the following is the policy:

- If the driver resides in Tippecanoe County or a contiguous county, then the officer may issue a summons to appear in lieu of physical arrest.
- If the driver is an Indiana resident, but does not reside in Tippecanoe County or a contiguous county, then the officer may issue a summons to appear in lieu of physical arrest or arrest the driver and transport them to jail.
- For persons whose BMV shows that their license was revoked because of an invalid social security number, these should be cited/arrested for Never Receiving a License.
- Never Receiving a License charge applies to a person that has never obtained a license in any state, ever.
-

500.7 HABITUAL TRAFFIC VIOLATORS

When officers make contact with the operator of a motor vehicle and it is determined his license status is H.T.V. (a felony) the following is policy:

1. The driver will be arrested and after processing will be incarcerated at the county jail.

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2. The suspect will be processed as per department policy for felony arrest.

500.8 HIGH-VISIBILITY VESTS

The Department has provided American National Standards Institute (ANSI) Class II high-visibility vests to increase the visibility of department members, who may be exposed to hazards presented by passing traffic or will be maneuvering or operating vehicles, machinery and equipment (23 CFR 655.601; I.C. § 22-8-1.1-2).

500.8.1 REQUIRED USE

Except when working in a potentially adversarial or confrontational role, such as during vehicle stops, high-visibility vests should be worn when increased visibility would improve the safety of the department member or when the member will be exposed to the hazards of passing traffic, maneuvering or operating vehicles, machinery and equipment (I.C. § 22-8-1.1-2).

Examples of when high-visibility vests should be worn include traffic control duties, traffic accident investigations, lane closures and disaster scenes.

When emergency conditions preclude the immediate donning of the vest, members should retrieve and wear the vest as soon as conditions reasonably permit.

Use of the vests shall also be mandatory when directed by a supervisor.

Traffic Accidents

501.1 PURPOSE AND SCOPE

This policy provides guidelines for responding to and investigating traffic accidents.

501.2 POLICY

It is the policy of the West Lafayette Police Department to respond to traffic accidents and render or summon aid to injured victims as needed. The Department will investigate and prepare reports with the goal of reducing the occurrence of accidents by attempting to identify the cause of the accident and through enforcing applicable laws. Unless restricted by law, traffic accident reports will be made available to the public upon request.

501.3 RESPONSE

Upon arriving at the scene, the responding member should assess the need for additional resources and summon assistance as appropriate. Generally, the member initially dispatched to the scene will be responsible for the investigation and report, if required, unless responsibility is reassigned by a Shift Commander.

A Shift Commander should be called to the scene when the incident:

- (a) Is within the jurisdiction of this department and there is:
 - 1. A life-threatening injury.
 - 2. A fatality.
 - 3. A City vehicle involved.
 - 4. A City official or employee involved.
 - 5. Involvement of an on- or off-duty member of this department.
- (b) Is within another jurisdiction and there is:
 - 1. A City of West Lafayette vehicle involved.

501.3.1 MEMBER RESPONSIBILITIES

Upon arriving at the scene, the responding member should consider and appropriately address:

- (a) Traffic direction and control.
- (b) Proper placement of emergency vehicles, cones, roadway flares or other devices if available to provide protection for members, the public and the scene.
- (c) First aid for any injured parties if it can be done safely.
- (d) The potential for involvement of hazardous materials.
- (e) The need for additional support as necessary (e.g., traffic control, fire department, hazardous materials response, tow vehicles).
- (f) Clearance and cleanup of the roadway.

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501.4 NOTIFICATION

If a traffic accident involves a life-threatening injury or fatality, the responding officer shall notify the shift commander. The shift commander may assign a crash reconstructionist to investigate the incident.

501.4.1 NOTIFICATION OF FAMILY

In the event of a life-threatening injury the supervisor responsible for the incident should ensure notification of the victim's immediate family. In the event of a fatality the supervisor should coordinate such notification with the Coroner. Notification should be made as soon as practicable following positive identification of the victim.

The identity of any person seriously injured or deceased in a traffic accident should not be released until notification is made to the victim's immediate family.

501.5 MINIMUM REPORTING REQUIREMENTS

An accident report shall be taken when:

- (a) A fatality, any injury (including complaint of pain), operating while intoxicated, or a hit-and-run is involved.
- (b) The accident results in a collision with an unattended vehicle and/or damage to property other than a vehicle and the owner of that vehicle or property cannot be located (I.C. § 9-26-2-1).
- (c) An on-duty member of the City of West Lafayette is involved.
- (d) The accident results in any damage to any City-owned or leased vehicle.
- (e) A crash report will be completed on all hit and run crashes, regardless of damage estimate. A separate case report will be completed in RMS if evidence is found or follow up investigation is needed.
- (f) The accident involves any other public agency driver or vehicle.
- (g) There is damage to public property.
- (h) There is damage to any vehicle to the extent that towing is required.
- (i) There is property damage of at least \$2,500 (I.C. § 9-26-2-1).
- (j) Any party to the crash requests a report be completed.
- (k)
- (l)
- (m) Directed by a supervisor.

501.5.1 PRIVATE PROPERTY

This department will investigate crashes that occur on private property under the same requirements set forth in policy 501.5.

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501.5.2 CITY VEHICLE INVOLVED

A traffic accident report shall be taken when a City vehicle is involved in a traffic accident that results in property damage or injury. In addition to the accident report the on duty commander will document on department letterhead the details and facts of the crash and determine if the crash was avoidable/unavoidable on the part of the involved employee.

The entire report shall be completed and forwarded to the following; Chief, Deputy Chief, Captain of Special Services, Captain of Patrol, and the Maintenance Technician. The supervisor at the scene should determine what photographs should be taken of the scene and forward them to the Captain of Special Services. Any police vehicle sustaining significant damage will be immediately dead lined and left at the Department for repair. The employee who was operating the vehicle at the time of the crash shall submit in writing their version of how the crash occurred to the investigating commander. The explanation will be forwarded with the report as part of the investigation.

501.5.3 INJURED ANIMALS

Department members should refer to the Animal Control Policy when a traffic accident involves the disposition of an injured animal.

501.6 INVESTIGATION

When a traffic accident meets minimum reporting requirements the investigation should include, at a minimum:

- (a) Identification and interview of all involved parties.
- (b) Identification and interview of any witnesses.
- (c) A determination of whether a violation of law has occurred and the appropriate enforcement action.
- (d) Identification and protection of items of apparent evidentiary value.
- (e) Documentation of the incident as necessary (e.g., statements, measurements, photographs, collection of evidence and reporting) on the appropriate forms.

501.6.1 CRASH RECONSTRUCTION

A crash reconstructionist may be requested for serious bodily injury, including but not limited to those listed below (officer discretion must be used).

- (1) Possible permanent disability
- (2) Amputation
- (3) Multiple internal injuries
- (4) Paralysis
- (5) Fatal

When a reconstructionist is called to the scene of a crash, the Captain of Patrol shall be notified.

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Traffic Accidents

501.6.2 FATAL CRASHES

Officers shall follow same guidelines as Personal Injury Crash.

- b) Primary investigating officer will be completing the Indiana Officer's Standard Crash Report form.
- c) Crash Reconstructionist and Coroner to be requested.
- d) Treat crash site as a crime scene and do not move the following unless life threatening:
 - (1) Deceased bodies.
 - (2) Vehicles involved.
 - (3) Debris/evidence on or about the scene.
- e) Preserve the scene, do not:
 - (1) Turn on/off vehicle light switches.
 - (2) Place vehicles in or out of gear.
 - (3) Set motorcycles or bicycles upright.
 - (4) Drive/park on tire marks or other roadway evidence (when possible).
 - (5) Move or adjust anything in vehicles involved .

f) All drivers involved are to be tested for blood alcohol content (preferably by blood test at emergency room).

501.6.3 REMOVAL FROM LINE OF DUTY ASSIGNMENT

When an on-duty member is involved in a traffic accident that involves a life-threatening injury or fatality, the member should be placed in a temporary administrative assignment pending an administrative review. The Chief of Police may exercise discretion and choose not to place a member in an administrative assignment.

501.7 ENFORCEMENT ACTION

After a thorough investigation in which physical evidence or independent witness statements indicate that a violation of a traffic law contributed to the accident, authorized members should issue a summons or arrest the offending driver, as appropriate.

More serious violations, such as driving under the influence of drugs or alcohol, vehicular manslaughter or other felonies, shall be enforced. If a driver who is subject to enforcement action is admitted to a hospital, a supervisor shall be contacted to determine the best enforcement option.

501.8 ACTION WHEN A REPORT IS NOT REQUIRED

When a traffic accident does not meet the minimum reporting requirements, a responding member should verify that each involved driver present has complied with the requirements of I.C. § 9-26-1-1.1 (I.C. § 9-26-2-1; I.C. § 9-26-2-4).

Crash Investigations Inside/Outside of City Limits – Special Exemptions

502.1 CRASH INVESTIGATIONS INSIDE/OUTSIDE OF CITY LIMITS – SPECIAL EXEMPTIONS

502.1.1 PURPOSE

To serve the general public in a more efficient manner, by assisting other agencies. Crashes in some areas outside of, but near the city limits are handled more efficiently when investigated by the West Lafayette Police Department. Likewise, certain areas located within the city limits may be more efficiently handled by another area agency.

502.1.2 POLICY

West Lafayette, Purdue University, Tippecanoe County, and Lafayette Police Departments will routinely investigate crashes in the areas specified by this policy, even when the areas are not contained within their regular jurisdictional boundaries.

502.2 THE ORDER

By agreement, and in accordance with the Mutual Aid Policies, the West Lafayette Police Department will investigate motor vehicle crashes outside of the jurisdictional boundaries of West Lafayette. All investigations of crashes that occurred outside of the city limits, will be listed on the crash report as “outside city limits”, unless otherwise specified by this policy.

502.2.1 EAST & WESTBOUND STATE STREET (WABASH RIVER BRIDGE, STATE ST.- SOUTH ST. CONNECTION)

West Lafayette PD will investigate crashes in the eastbound lanes (from the intersection with Tapawingo Drive, east to Second St.). (Mark crash reports as outside of city limits).

- 1.) Lafayette PD will investigate crashes at the intersection of South St. and Second St.

Lafayette PD will investigate crashes in the westbound lanes of the bridge from Second St. to Tapawingo Dr.

- 1.) West Lafayette PD will investigate crashes at the intersection of Tapawingo Dr. and State St.

502.2.2 HARRISON BRIDGE

West Lafayette Police Department will investigate crashes in the eastbound lanes (from Wiggins St.), and the up ramps (from N. River SR43), east to the down ramp for Canal Rd. (Mark crash reports as outside of city limits).

- a) Lafayette Police Department will investigate crashes on the Canal Rd. down ramp and all areas east of the ramp.

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Crash Investigations Inside/Outside of City Limits – Special Exemptions

- b) Lafayette Police Department will investigate crashes westbound from Salem St. to the River Rd. down ramps.

West Lafayette Police Department will investigate crashes on the River Rd. down ramps and the westbound lanes of the River Rd. overpass bridge. (Mark crash report as outside of the city limits).

502.2.3 WEST STATE STREET

The West Lafayette Police Department will investigate all crashes on State Street including Mitch Daniels Blvd to the intersection of Marstellar Street, and Mitch Daniels Blvd from the intersection with Airport Road/McCormick Road to the intersection of U.S. 231.

502.2.4 STATE ROAD 43

West Lafayette Police Department will investigate crashes on SR 43 north to the entrance of the Chardonay Subdivision.

502.2.5 SOLDIERS HOME ROAD

West Lafayette Police Department will investigate crashes on Soldiers Home Road north to County Road 500 North.

502.2.6 COUNTY ROAD 500 NORTH

TCPD will take crash reports on all of 500 North, including the intersection of 75 West and the intersection of 50 West (Salisbury St.).

502.2.7 NORTH SALISBURY STREET

West Lafayette Police Department will investigate all crashes on North Salisbury Street up to the intersection of County Road 500 North.

TCSO will investigate crashes in the intersection.

502.2.8 LINDBERG ROAD

West Lafayette Police will investigate all crashes on Lindberg Road west to the intersection of Robinhood Lane.

502.2.9 SAGAMORE PARKWAY

West Lafayette Police will investigate all crashes (east and westbound) on Sagamore Parkway from the west edge of the bridge and west.

Vehicle Towing

503.1 PURPOSE AND SCOPE

This policy provides guidance related to vehicle towing. Nothing in this policy shall require a member of this department to tow a vehicle.

503.2 POLICY

The West Lafayette Police Department will tow vehicles when appropriate and in accordance with the law.

503.3 REMOVAL OF VEHICLES DUE TO HAZARD

When a vehicle should be towed because it presents a hazard, the owner or operator should arrange for the towing. Department members may assist by communicating requests through the Dispatch Center to expedite the process.

If the owner or operator is unable to arrange for towing and the vehicle presents a hazard, the vehicle may be towed at the direction of the department member (I.C. § 9-21-16-3; I.C. § 9-21-16-4).

Vehicles that are not the property of the City should not be driven by department members unless it is necessary to move the vehicle a short distance to eliminate a hazard, prevent the obstruction of a fire hydrant or comply with posted signs.

503.3.1 VEHICLE TOW DO TO CRASH

When towing a vehicle as a result of a crash, the vehicle need only be towed if the crash occurred on a city street or state highway, and the vehicle is not capable of being driven from the scene due to mechanical reasons or because the driver is incapable of driving it due to injury. The owner will first be asked for their preference of tow service and if they have none, then the on call service will be used.

503.3.2 DISABLED VEHICLES

Disabled vehicles are any vehicle on a city street, alleyway, or state highway that pose a substantial hazard if they are not removed.

If the owner is present, their preference of tow service will be utilized, and if they have none, then the on call service will be used.

If the owner is not present, the vehicle may be towed from the travel portion of the road using the on call towing service.

503.3.3 VEHICLE TOW DO TO PARKING VIOLATION

When a vehicle is being towed for a parking violation, i.e. yellow curb/tow zone, parked blocking alleyway or driveway, etc., the following procedure will be followed:

- a) Issue parking ticket for violation.

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- b) Contact on call tow service.
- c) Complete inventory based on what can be observed from the outside of the vehicle
- d) Issue red tag if appropriate.
- e) Complete tow card.

If the owner should return to the vehicle prior to the arrival of the wrecker, the vehicle can be released to the owner and the wrecker shall be cancelled.

If the owner should return to the vehicle and the tow service is already on scene, the vehicle may still be towed unless an agreement can be reached between the vehicle owner and the wrecker service

503.4 TRAFFIC SUMMONS AND/OR ARREST SCENES

Whenever the owner or operator of a vehicle is arrested or cannot lawfully operate the vehicle, the investigating officer should provide reasonable safekeeping for the vehicle and its contents by having it towed so as not to create a traffic hazard or put the vehicle in jeopardy of theft or damage if left at the scene.

Officers are not required to investigate whether alternatives to towing a vehicle exist after an arrest or traffic summons. However, officers may choose not to tow a vehicle if reasonable alternatives do exist. When considering whether to release a vehicle or leave it at the scene, officers should take into consideration public safety as well as the reasonable safety of the vehicle and its contents.

The following are examples of situations where a vehicle might not need to be towed:

- The vehicle is parked on private property, on which the arrestee or owner is legally residing, or the property owner does not object to the vehicle being parked at that location.
- The arrestee or owner of the vehicle requests that it be released to a person who is present, willing and able to legally take control of the vehicle.

In such cases the requester should be informed that the Department will not be responsible for theft or damages.

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503.5 VEHICLES RELATED TO CRIMINAL INVESTIGATIONS

Officers should tow vehicles that are needed for the furtherance of an investigation or prosecution of a case, or that are otherwise appropriate for seizure as evidence. Officers should make reasonable efforts to return a recovered stolen vehicle to its owner rather than have it towed, so long as the vehicle is not needed for evidence.

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503.5.1 UNAUTHORIZED USER

When an officer discovers a person in possession of a vehicle and that person cannot establish the right to possess the vehicle, the vehicle shall be taken to and stored in a suitable place determined by the officer (I.C. § 9-22-1-5).

503.6 IMPOUND HOLDS

If an officer impounds a vehicle and a hold is placed on it, the officer must provide the tow truck driver with an orange hold card. As soon as practical, the officer shall complete a vehicle tow history card and affix the remaining portion of the hold card to the tow history card. The tow history card and hold card are to be filed in the appropriate container on the counter in the Records Division.

503.7 RECORDS

Records Division members shall ensure that pertinent data regarding a towed vehicle is promptly entered into the appropriate database.

503.8 TOWING SERVICES

Members shall not show preference among towing services that have been authorized for use by the Department. A rotation or other system established by the Department for tow services should be followed.

503.9 VEHICLE INVENTORY

The contents of all vehicles towed at the request of department members shall be inventoried. Officers may document the inventory of a vehicle by completing a vehicle inventory form or by narrating the inventory on the officers body worn camera.

These inventory procedures are for the purpose of protecting the vehicle owner's property, providing for the safety of department members and protecting the Department against fraudulent claims of lost, stolen or damaged property.

Traffic Citations and Warnings

504.1 PURPOSE AND SCOPE

This policy outlines the responsibilities for issuing traffic warnings and citations.

504.2 POLICY

It is the policy of the West Lafayette Police Department to enforce traffic laws fairly and equally. Authorized members may issue a traffic citation, parking citation or written warning based upon the circumstances of the contact and in the best interest of the motoring public and community safety.

504.3 RESPONSIBILITIES

The Records Division shall be responsible for the supply and accounting of all traffic and parking citations.

Members of the West Lafayette Police Department shall only use department-approved traffic and parking citation forms.

504.3.1 WRITTEN WARNINGS

Written warnings may be issued when the department member believes it is appropriate. The Records Division should maintain information relating to traffic stops in which a written warning is issued. Written warnings are retained by this department in accordance with the established records retention schedule.

504.3.2 VERBAL WARNINGS

Verbal warnings are not permitted by this department.

If using the e-ticket system a physical copy of a traffic warning will be provided to the offender.

If using the hand written warning pads the offender shall be issued their duplicate copy of the written warning.

504.4 TRAFFIC CITATIONS

504.4.1 RECORDS DIVISION

Officers shall only use department-issued traffic citations. The Records Division shall ensure that (I.C. § 9-30-3-6):

- (a) Traffic citations are available and accessible as appropriate.
- (b) Each traffic citation shall have a unique number which will include the identifying number of the West Lafayette Police Department.
- (c) A system of accountability is in place for each traffic citation in the possession of the West Lafayette Police Department.

504.4.2 VOIDING

Voiding a traffic citation may occur when the citation has not been completed or when it is completed but not issued.

Operating While Intoxicated

505.1 PURPOSE AND SCOPE

This policy provides guidance to those department members who play a role in the detection and investigation of drivers operating vehicles while intoxicated (OWI).

505.2 POLICY

The West Lafayette Police Department is committed to the safety of the roadways and the community and will pursue fair but aggressive enforcement of Indiana's OWI laws.

505.3 INVESTIGATIONS

All officers are expected to enforce these laws with due diligence.

The Captain of Patrol will develop and maintain, in consultation with the prosecuting attorney, report forms with appropriate checklists to assist investigating officers in documenting relevant information and maximizing efficiency. Any OWI investigation will be documented in a case report and using these forms. Information documented elsewhere on the form does not need to be duplicated in the report narrative. Information that should be documented includes, at a minimum:

- (a) The field sobriety tests (FSTs) administered and the results.
- (b) The officer's observations that indicate impairment on the part of the individual, and the officer's health-related inquiries that may help to identify any serious health concerns (e.g., diabetic shock).
- (c) Sources of additional information (e.g., reporting party, witnesses) and their observations.
- (d) Information about any audio and/or video recording of the individual's driving or subsequent actions.
- (e) The location and time frame of the individual's vehicle operation and how this was determined.
- (f) Any prior related convictions in Indiana or another jurisdiction.

505.3.1 OWI DETECTION AND PRE-ARREST SCREENING

The officer's observation in this stage is crucial in establishing probable cause upon which the arrest decision is based. Officers must perform the following tasks:

1. Recognize and identify specific driving behaviors that have a high probability of signifying that the driver may be intoxicated/impaired by alcohol or drugs.
2. Recognize and identify specific driving and other behaviors occurring during the vehicle stop that provide additional evidence/indication that the driver may be intoxicated/impaired.
3. Note all observations leading to the determination that the driver may be intoxicated/impaired.
4. Recognize and identify specific characteristics and actions commonly associated with intoxicated/impaired drivers during face-to-face contact.

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5. For officer and subject safety, it is not recommended that field tests be conducted in the roadway between a patrol vehicle and subject vehicle. If a safe location cannot be found, transport the subject to the department holding area and conduct the field tests.
6. Select and administer appropriate field sobriety tests to assess impairment (e.g., horizontal gaze nystagmus test, walk-and-turn test, one-leg stand test).
7. If probable cause is determined after field sobriety tests are administered or refused, the officer shall then read the Indiana Implied Consent notice and offer a breath test.
8. Suspects who are in custody and subjected to an interrogation shall be given the Miranda warning.
9. Handcuff and search the subject.
10. Transport subject for chemical testing

505.4 CHEMICAL TESTS

A person implies consent to a chemical test or tests, and to providing the associated chemical sample, under any of the following (I.C. § 9-30-6-1 et seq.; I.C. § 9-30-7-2):

- (a) The officer has probable cause to believe that the person has committed an offense under any of the following:
 1. OWI (I.C. § 9-30-5-1 et seq.)
 2. Implied Consent (I.C. § 9-30-6-1 et seq.)
 3. Circuit Court Alcohol Abuse Deterrent Programs (I.C. § 9-30-9-1 et seq.)
 4. Open Alcoholic Beverage Containers/Consumption of Alcohol in Motor Vehicles (I.C. § 9-30-15-1 et seq.)
- (b) The officer has probable cause to believe that the person has committed an offense in (a) above and has been involved in an accident involving actual or imminent death or serious bodily injury (I.C. § 9-30-6-6).

An officer may administer more than one chemical test during the course of an OWI investigation (I.C. § 9-30-6-2; I.C. § 9-30-7-3).

If a person withdraws this implied consent, or is unable to withdraw consent (e.g., the person is unconscious), the officer should consider implied consent revoked and proceed as though the person has refused to provide a chemical sample.

505.4.1 STATUTORY NOTIFICATIONS

Officers should advise a person that in order to comply with the implied consent laws of Indiana, the person must submit to each chemical test offered (I.C. § 9-30-6-2).

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505.4.2 BREATH SAMPLES

The Captain of Special Services shall ensure that all devices used for the collection and analysis of breath samples are properly serviced and tested, and that a record of such service and testing is properly maintained (I.C. § 9-30-6-5; 260 I.A.C. 2-3-2).

Officers obtaining a breath sample should monitor the device for any sign of malfunction. Any anomalies or equipment failures should be noted in the appropriate report and promptly reported to the Captain of Special Services (260 I.A.C. 2-4-1; 260 I.A.C. 2-4-2).

505.4.3 BLOOD SAMPLES

Only persons authorized by law to draw blood shall collect blood samples. The blood draw should be witnessed by the assigned officer. No officer, even if properly certified, should perform this task (I.C. § 9-30-6-6).

Officers should inform an arrestee that if he/she chooses to provide a blood sample, a separate sample can be collected for alternate testing. Unless medical personnel object, two samples should be collected and retained as evidence, so long as only one puncture is required.

The blood sample shall be packaged, marked, handled, stored and transported as required by the testing facility.

If an arrestee cannot submit to a blood draw because he/she has a bleeding disorder or has taken medication that inhibits coagulation, he/she shall not be required to take a blood test. Such inability to take a blood test shall not be considered a refusal. However, that arrestee may be required to complete another available and viable test.

505.4.4 URINE SAMPLES

If a urine test will be performed, the arrestee should be promptly transported to the appropriate testing site. The officer shall follow any directions accompanying the urine evidence collection kit.

Urine samples shall be collected and witnessed by an officer of the same sex as the individual giving the sample. The arrestee should be allowed sufficient privacy to maintain his/her dignity, to the extent possible, while still ensuring the accuracy of the sample.

The sample shall be packaged, marked, handled, stored and transported as required by the testing facility.

505.4.5 PORTABLE BREATH TEST

A portable breath test (PBT) may be offered when an officer has reasonable suspicion to believe that a person is OWI or has been involved in an accident resulting in actual or imminent death, or serious bodily injury (I.C. § 9-30-7-2; I.C. § 9-30-7-3).

505.5 REFUSALS

When an arrestee refuses to provide a chemical sample, officers (I.C. § 9-30-6-7; I.C. § 9-30-6-8):

- (a) Should advise the arrestee of the requirement to provide a sample.

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- (b) Should audio- and/or video-record the admonishment and the response when it is practicable.
- (c) Shall document the refusal in the appropriate report.
- (d) Shall prepare a probable cause affidavit to be forwarded to the prosecuting attorney of the county where the alleged offense occurred.

505.5.1 STATUTORY NOTIFICATIONS UPON REFUSAL

Upon refusal to submit to a chemical test, officers shall inform the person that refusal will result in the suspension of his/her driving privileges and take possession of the person's driver's license or permit. The officer shall issue the person a receipt (I.C. § 9-30-6-7).

505.5.2 BLOOD SAMPLE WITHOUT CONSENT

A blood sample may be obtained from a person who refuses a chemical test when any of the following conditions exist:

- (a) A search warrant has been obtained.
- (b) The officer can articulate that exigent circumstances exist. Exigency does not exist solely because of the short time period associated with the natural dissipation of alcohol or controlled or prohibited substances in the person's bloodstream. Exigency can be established by the existence of special facts, such as a lengthy time delay resulting from an accident investigation or medical treatment of the person.
 - 1. An exigent circumstance occurs when the officer has probable cause to believe that the person has violated OWI laws and has been involved in an accident that caused serious bodily injury or death of another and the offense occurred no more than three hours prior to the sample being requested (I.C. § 9-30-6-6).

505.5.3 FORCED BLOOD SAMPLE

If an arrestee indicates by word or action that he/she will physically resist a blood draw, the officer should request a supervisor to respond.

The responding supervisor should:

- (a) Evaluate whether using force to obtain a blood sample is appropriate under the circumstances.
- (b) Ensure that all attempts to obtain a blood sample through force cease if the person agrees to, and completes, a viable form of testing in a timely manner.
- (c) Advise the person of his/her duty to provide a sample (even if this advisement was previously done by another officer), and attempt to persuade the individual to submit to providing such a sample without physical resistance.
 - 1. This dialogue should be recorded on audio and video when appropriate and practicable.
- (d) Ensure that the blood sample is taken in a medically approved manner (I.C. § 9-30-6-6).

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- (e) Ensure that the forced blood draw is recorded on audio and video when appropriate and practicable.
- (f) Monitor and ensure that the type and level of force applied appears reasonable under the circumstances (I.C. § 9-30-6-6):
 - 1. Unless otherwise provided in a warrant, force should generally be limited to handcuffing or similar restraint methods.
 - 2. In misdemeanor cases, if the arrestee becomes violent or more resistant, no additional force will be used and a refusal should be noted in the report.
 - 3. In felony cases, force which reasonably appears necessary to overcome the resistance to the blood draw may be permitted.
- (g) Ensure the use of force and methods used to accomplish the collection of the blood sample are documented in the related report.

If a supervisor is unavailable, officers are expected to use sound judgment and perform the duties of a supervisor, as set forth above.

505.6 ARREST AND INVESTIGATION

If an officer has probable cause to believe that a person committed an OWI offense, the person may be arrested. However, if the chemical test results in prima facie evidence that the person is intoxicated, the person shall be arrested for an OWI offense (I.C. § 9-30-6-3).

505.6.1 TIME TO ADMINISTER TEST

All chemical tests shall be administered to a person within three hours after an officer has made the determination that the person is OWI or that the person has been involved in an accident resulting in serious bodily injury, or actual or imminent death (I.C. § 9-30-6-2; I.C. § 9-30-6-6; I.C. § 9-30-6-7).

505.6.2 MEDICAL TEST RESULTS

For the criminal investigation, officers should obtain chemical test results conducted by medical personnel acting under the direction or protocol of a physician. The test results shall be provided to an officer even if the person has not consented or authorized his/her release (I.C. § 9-30-6-6).

School Crossing Guards

506.1 PURPOSE AND SCOPE

This policy provides guidelines for paid school crossing guard programs.

506.2 POLICY

It is the policy of the West Lafayette Police Department to provide school crossing guards, subject to available resources, at strategic locations to enhance the safety of school children while crossing the roadway.

506.3 SCHOOL CROSSING GUARD COORDINATOR

The Chief of Police or the authorized designee should designate a school crossing guard coordinator. The coordinator's responsibilities include:

- Coordinating the recruiting, selection and training of school crossing guards.
- Scheduling school crossing guards and assignments.
- Monitoring and evaluating the performance of school crossing guards.
- Developing and maintaining written procedures for school crossing guard duties and responsibilities.
- Preparing reports and other documentation as needed.
- Ensuring that a review of crossing guard locations is conducted annually.

506.4 SELECTION

To be eligible for appointment as a school crossing guard, the candidate should possess the following qualifications:

- Be an adult over 18 years of age
- Be of good character and have no convictions for crimes of moral turpitude
- Be sufficiently physically fit to be able to carry out all duties of the position, including good sight, hearing and coordination skills
- Be able to work independently
- Be able to communicate effectively, both verbally and through the use of appropriate traffic-related hand signaling
- Present a neat appearance
- Be able to provide clear, firm but courteous direction and signals

School crossing guards should be required to pass a background investigation including fingerprinting. In addition, school crossing guards may be subject to the hiring standards required of all city employees.

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School Crossing Guards

506.5 UNIFORMS AND EQUIPMENT

Each school crossing guard shall be provided a stop paddle that is compliant with the U.S. Department of Transportation Manual on Uniform Traffic Control Devices (MUTCD), yellow or orange reflective gloves and an American National Standards Institute (ANSI) Class II high-visibility vest.

506.6 SCHOOL CROSSING GUARD DEPLOYMENT

Locations for school crossing guard assignments should be based on traffic engineering studies and guidelines established by the MUTCD and where authorized by law. Additional factors to consider may include:

- Age of school children crossing
- Number of students and others crossing
- Vehicle speeds in the area of the crossing
- Volume of traffic
- Length of safe traffic gaps
- Width of the roadway and number of lanes
- Sight distance at crossing
- Accident history
- Control devices present

506.7 SCHOOL CROSSING GUARD RESPONSIBILITIES

The primary responsibility of the school crossing guard is to assist children with crossing the street safely. School crossing guards should also:

- (a) Report to their assignment by their scheduled start time properly attired and remain at their post throughout their assigned shift.
- (b) Notify the Dispatch Center at least one hour before the start time of their assigned shift if they will be unable to cover their assignment for any reason.
- (c) Use only department-supplied safety and control equipment to perform their duties.
- (d) Wear the approved high-visibility vest on the outside of their clothing at all times while at their crossing assignment (23 CFR 655.601).
- (e) Refrain from conducting personal business or engaging in any activities, such as reading, that may distract their attention from their crossing responsibilities.
- (f) Except for emergencies, refrain from using cellular phones or other personal electronic devices while on assignment.
- (g) Report to the coordinator any injuries to themselves or others that occur during the shift.
- (h) Report any incidents or conditions that may present a potential hazard to the school crossing guard or school children.

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School Crossing Guards

Crossing guards shall not direct traffic, including directing lines of traffic to turn. Instead, crossing guards should wait for a sufficient gap in the traffic flow and stand in the roadway to indicate that pedestrians are about to use or are using the crosswalk and that all vehicular traffic must stop.

506.8 TRAINING

Prior to assignment, school crossing guards should have successfully completed department-approved training on the following:

- Relevant city laws and regulations
- School zone signage, markings and regulations
- Basic first-aid
- Proper signaling and use of signaling equipment
- Proper use of safety equipment
- Emergency procedures in the event of an accident or other emergency
- Procedures for safely crossing children
- Other topics as deemed appropriate by the coordinator or training instructor

The School Crossing Guard Coordinator will be responsible for providing copies of this policy to the crossing guards.

Passenger Restraint System Enforcement

507.1 PASSENGER RESTRAINT SYSTEM ENFORCEMENT

507.1.1 PURPOSE

To provide guidelines for the enforcement of the Indiana law regarding passenger restraint systems.

507.1.2 POLICY

All personnel within this agency are encouraged to take a “zero tolerance” approach toward violations of the laws regarding passenger restraint systems.

507.1.3 ENFORCEMENT

1. A vehicle may be stopped to determine compliance with Indiana law regarding passenger restraint systems. However, a vehicle, its contents, the driver, or a passenger may not be inspected, searched, or detained SOLELY because of a violation of this type. Other probable cause must be present and documented in a report.
2. Each officer should ensure that the use of passenger restraints is addressed at every traffic enforcement contact.
3. If non-use or intentional misuse of passenger restraints is noted, the appropriate enforcement action should be taken. No warnings are to be written on grant funded patrols.

507.1.4 TRAINING

All personnel within the agency who perform traffic enforcement activities should receive training on this policy.

Sobriety Checkpoint Procedures

508.1 PURPOSE

The purpose of this policy is to provide guidelines for the physical construction and operation of a sobriety checkpoint in order to maximize the deterrent effect and increase perception of “risk of apprehension” of motorists who would operate a vehicle while impaired by alcohol or drugs.

508.2 POLICY

It shall be the policy of the West Lafayette Police Department to implement a sobriety checkpoint program. This will be done as part of a comprehensive enforcement program. To ensure standardization of this program a clear and concise set of written guidelines has been developed governing procedures on how checkpoints will be operated within this jurisdiction. The Chief of Police, Deputy Chief or his designee will approve all checkpoints prior to implementation.

In accordance with this policy the West Lafayette Police Department will:

1. Satisfy federal, state and local legal requirements.
2. Conduct checkpoints with a minimal amount of intrusion or motorist inconvenience.
3. Assure the safety of the general public as well as the law enforcement officers involved.
4. Provide for an objective site selection based on relevant data.
5. Provide for public information and education to maximize the deterrent effect and heighten awareness of the impaired driving problem.
6. Select officers to work the checkpoint based on experience and training.
7. Conduct a briefing prior to each checkpoint to cover operational procedures.

508.3 DEPARTMENTAL GUIDELINES

Written guidelines will be prepared in advance of the implementation of the checkpoint. The written guidelines will include:

1. A detailed site map.
2. Specified signing, safety equipment, warning devices, barriers, etc. that will be used, their proper placement, and use at the scene.
3. Specific method for selecting motorists to be contacted, e.g., every vehicle, every fifth vehicle, etc. to ensure objectivity.
4. Assignment of specific duties for participating officers.
5. Provision for a predetermined pull-off area for vehicles requiring further investigation.

508.4 SITE SELECTION

The West Lafayette Police Department will objectively outline criteria used in the site selection process.

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Sobriety Checkpoint Procedures

1. Select locations that permit the safe flow of traffic through the checkpoint.
 - a) Consideration should be given to posted speed limits, traffic volume and visibility.
 - b) Ensure sufficient adjoining space is available to pull vehicles off the traveled portion of the roadway.
 - c) Consider other conditions that may pose a hazard.
2. Alcohol and drug related traffic experiences.
 - a) Incidence of alcohol or drug related crashes.
 - b) Alcohol/drug related driving violations.
 - c) Any other documented alcohol/drug related vehicular incidents.
3. The site should have sufficient visibility from each direction and sufficient illumination.

508.5 PERSONNEL

A sworn uniformed officer rank of Sergeant or above will be assigned to provide on-scene supervision of the checkpoint.

The checkpoint will be staffed by a sufficient number of uniformed personnel to ensure safe and efficient operation.

508.6 ADVANCE NOTIFICATION

1. For the purpose of public information and education, the West Lafayette Police Department will announce to the media that checkpoints will be conducted.
2. The West Lafayette Police Department will encourage media interest in the sobriety checkpoint program to enhance public perception of aggressive enforcement, to heighten the deterrent effect, and to assure protection of constitutional rights.
3. The West Lafayette Police Department will provide advance notification of the checkpoint to public safety agencies expected to be impacted.

508.7 MOTORISTS WARNINGS/SAFETY METHODS

1. Special care is required to warn approaching motorists of the sobriety checkpoint.
2. Basic equipment will include, but is not limited to:
 - a) Warning signs placed in advance of the checkpoint.
 - b) Flares, fusees, or similar devices.
 - c) Safety cones or similar devices.
 - d) Permanent/portable lighting.
 - e) Marked patrol vehicles.

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Sobriety Checkpoint Procedures

508.8 CONTINGENCY PLANNING

Any deviation from the predetermined guidelines must be thoroughly documented as to the reason for the deviation (i.e. traffic backing up, intermittent inclement weather).

508.9 DATA COLLECTION

To monitor and ensure standardization and consistency of the sobriety checkpoint program a systematic method of data collection will be incorporated.

1. Assigned personnel will complete an officer statistics sheet at the end of the checkpoint. The statistic sheet will be submitted to the checkpoint supervisor.
2. The checkpoint supervisor will compile the information contained in the officers' statistic sheets in order to complete the supervisor statistic sheet at the end of each checkpoint.
3. The supervisor statistic sheet may include, but is not limited to:
 - a) Time, date and location of the checkpoint.
 - b) Weather conditions.
 - c) Number of vehicles passing through checkpoint.
 - d) Number and type of arrests.
 - e) Identification of unusual incidents such as safety problems that occurred during the checkpoint.

Traffic Procedures

509.1 PURPOSE AND SCOPE

The purpose of this procedure is to provide members guidance in the use of department-approved traffic management methods.

509.1.1 DEFINITIONS

Definitions related to this procedure include:

High-risk traffic stop – A traffic stop that is conducted under circumstances in which the officer is or becomes aware that any occupant poses a serious safety risk (e.g., the vehicle may contain an occupant who is known to be armed and dangerous).

Unknown risk traffic stop – A traffic stop that is conducted under circumstances in which the officer is not previously aware of a threat to the officer's safety posed by the vehicle's occupants (e.g., the vehicle is stopped for a traffic violation only).

509.2 TRAFFIC STOPS

509.2.1 UNKNOWN RISK TRAFFIC STOPS

While every unknown-risk traffic stop is based on a unique set of circumstances which must be taken into account and may warrant reasonable deviation from the list below, general guidelines for conducting an unknown risk traffic stop include:

- (a) The officer should consider existing conditions including but not limited to road design and conditions, weather, lighting, and current traffic flow, to establish a safe environment for the traffic stop.
- (b) The officer should use the patrol vehicle's emergency lighting and other equipment, if necessary, to initiate the stop. Upon stopping, the patrol vehicle should be positioned in a way that affords protection to the officer and to the violator's vehicle during the stop.
- (c) Generally, the violator should be directed to pull to the far-right side of the roadway to stop. However, the officer should be prepared to deal with other situations.
- (d) Upon initiating a traffic stop, the officer should notify the dispatcher of the location of the stop and the vehicle's registration state and number. The officer should not approach the violator's vehicle until the dispatcher has acknowledged the message.
- (e) The officer should approach with caution and take a position that allows effective communication with the driver, a view of any other occupant, and an avenue of tactical retreat if necessary.
- (f) Upon contacting the violator, the officer should remain courteous and professional, providing the violator with verbal identification and the reason for the stop. The officer should request the motorist's documentation.
- (g) The officer should provide the violator with information as to how to respond to the chosen enforcement action, if applicable.

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- (h) The officer should end the contact once appropriate law enforcement action has been taken and there is no articulable reasonable suspicion that the occupants have committed, are committing, or are about to commit a further crime or offense.
- (i) The officer should assist the violator in pulling safely back into traffic.

509.2.2 HIGH-RISK TRAFFIC STOPS

While every high-risk traffic stop is based on a unique set of circumstances which must be taken into account and may warrant reasonable deviation from the list below, general guidelines for conducting a high-risk traffic stop include:

- (a) When planning a high-risk traffic stop, the officer shall notify the dispatcher and describe the nature or reason for the stop. The officer shall provide the dispatcher with relevant information (e.g., vehicle description, registration number and state, number of occupants, location and direction of travel) and request adequate assistance to conduct the stop.
- (b) An officer should not individually initiate a high-risk traffic stop unless backup officers are not available in an appropriate amount of time or the urgency of the situation demands immediate action.
- (c) After selecting an appropriate location for the stop and with adequate backup officers in position, the officer should signal the suspect to stop.
- (d) Officers should position their vehicles at a distance behind the suspect vehicle that provides opportunities for cover. In low-light situations, positioning should allow for illumination of the suspect vehicle's interior.
- (e) The officer initiating the stop, or the officer with the best view, should issue verbal commands through the vehicle's public address system, if available. Only one officer should issue commands to the suspect vehicle's occupants.
- (f) Once the suspect vehicle has stopped, officers should exit their vehicles quickly and assume positions of cover.
- (g) Commands should be announced to the suspect vehicle operator to:
 - 1. Lower the window
 - 2. Remove ignition keys with the vehicle operator's left hand
 - 3. Drop the keys on the ground
 - 4. Open the door from the outside
 - 5. Step out of the vehicle
 - 6. Turn completely around
 - 7. Face away from the officers
 - 8. Walk backward until commanded to stop and lie face down on the ground with hands stretched far to the sides

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- (h) Using contact and cover, officers should handcuff, search, and secure the suspect. Other occupants should be similarly and separately commanded until all are handcuffed, searched, and secured.
- (i) With appropriate cover, officers should approach and inspect the suspect vehicle for additional occupants and/or threats before declaring the scene secure.

509.3 TRAFFIC DIRECTION AND CONTROL

509.3.1 MANUAL TRAFFIC DIRECTION

High-visibility vest should be worn in accordance with the Traffic Policy.

Department members assigned or authorized to control traffic should use the following uniform hand gestures to perform manual traffic direction:

- (a) Stopping traffic: The member should extend the arm and index finger toward and look directly at the driver to be stopped until that driver is or appears to be aware of the member's gesture. The member should then raise the pointing hand at the wrist so that the palm is toward the person to be stopped, and hold the palm in this position until the person stops. To stop traffic from both directions, the member should repeat the procedure for traffic coming from the other direction and continue to maintain the raised arm and palm toward the previously stopped traffic.
- (b) Starting traffic: The member should stand with the member's shoulder and side toward the traffic to be started, extend the arm and index finger toward, and look directly at the driver to be started until that driver is or appears to be aware of the member's gesture. The member should then swing the pointing arm, with palm up, from the elbow through a vertical semicircle until the hand is adjacent to the chin. If necessary, the member should repeat until traffic begins to move. To start traffic from both directions, the member should repeat the procedure for traffic coming from the other direction.
- (c) Right or left turn: The member's extended arm, index finger, and gaze should first be directed toward the driver. The member should then swing the extended arm and index finger in the direction of the driver's intended turn.
- (d) Use of flashlight: A flashlight may be used to stop traffic. To stop traffic, the member should slowly swing the beam of light across the path of oncoming traffic. The beam should strike the pavement as an elongated spot of light. After the driver has stopped, the member should use hand gestures with the vehicle headlights to provide illumination.

The member should stop all traffic and address the dangerous condition with all traffic stopped.

509.3.2 ACCIDENT SCENES

Members should refer to the Traffic Accidents Policy for additional guidance.

Additional guidelines should include as appropriate:

- (a) If a traffic accident results in traffic congestion, a member may request additional assistance, if available, to help with traffic control. Incidents occurring during heavy traffic periods on major streets resulting from a traffic accident and/or adverse road and

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weather conditions may also require the use or operation of temporary traffic control devices (e.g., barriers, cones, flares, traffic signals).

1. Members should use uniform hand gestures for manual traffic direction to assist in the efficient and safe movement of vehicle and pedestrian traffic.
 2. Members should coordinate traffic direction with other members at the scene, if appropriate.
- (b) Traffic may be stopped, rerouted, or restricted as necessary to ensure the safety of members, victims, and uninvolved motorists.

509.3.3 CRITICAL INCIDENT SCENES

- (a) Members providing traffic direction and control at critical incident scenes (e.g., fires, utility emergencies) should prevent unauthorized vehicles and pedestrians from entering the area and provide a safe arrival route for emergency vehicles.
- (b) The Department should coordinate its efforts with other emergency service agencies at fires, utility emergencies, or other scenes to provide crowd control and adequate safety measures for vehicle and pedestrian traffic.
- (c) Members should use temporary traffic control devices as necessary and should manually direct and control the flow of all traffic in accordance with this policy.
- (d) Members should contact a supervisor if additional assistance is needed at a location for any reason.

509.3.4 HAZARDOUS ROAD CONDITIONS

Hazardous road conditions due to weather, road damage, or other emergencies should be addressed as soon as practicable.

- (a) A member who locates or is assigned to investigate a hazardous road condition should use temporary traffic control devices if necessary to identify the hazard to the public, isolate it, and limit the public's ability to come into contact with or access the area.
- (b) A member who locates or is assigned to investigate a hazardous condition should assess the condition and request through the Dispatch Center that notifications be made to appropriate authorities responsible for correcting the hazard. The dispatcher should document the condition and all notifications that are made.
- (c) If a member needs assistance with isolating a hazard, the member may request additional members to the location.
- (d) If there are any questions regarding the proper isolation of a roadway hazard, members should contact their supervisor.
 1. Members should reference applicable Indiana Department of Transportation guidelines for setting up safe work zones (e.g., construction, traffic, maintenance, utility operations), if necessary.
 2. Members should only use road flares when there is no risk of fire or explosion. Road flares should not be left unattended while burning. Any remnants left after

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a flare has been exhausted and allowed time to cool should be collected and disposed of properly.

- (e) A member should only clear from the location under one of the following circumstances:
 - 1. The hazardous condition has been corrected
 - 2. The member is relieved by an appropriate authority who will conduct the repair, and traffic direction and control services are no longer needed
 - 3. The member is properly relieved by another member
 - 4. When authorized by a supervisor

509.3.5 MANUAL OPERATION OF TRAFFIC CONTROL DEVICES

On occasion, members may have to manually operate traffic lights or set traffic lights to flash. Only authorized members should manually operate traffic control devices with the approval of a supervisor and for the following purposes:

- (a) To correct a traffic light malfunction
- (b) To facilitate movement at traffic accidents or other emergencies
- (c) To provide passage for a motorcade or funeral procession
- (d) To alleviate congestion, particularly during planned special events

509.3.6 TEMPORARY TRAFFIC CONTROL DEVICES

Temporary traffic control devices (e.g., cones, signs, barricades) should be deployed using the procedures set forth in the most recent edition of the National Manual on Uniform Traffic Control Devices (MUTCD).

Chapter 6 - Investigation Operations

Investigation and Prosecution

600.1 PURPOSE AND SCOPE

The purpose of this policy is to set guidelines and requirements pertaining to the handling and dispositions of criminal investigations.

600.2 POLICY

It is the policy of the West Lafayette Police Department to investigate crimes thoroughly and with due diligence, and to evaluate and prepare criminal cases for appropriate clearance or submission to a prosecutor.

600.3 INITIAL INVESTIGATION

600.3.1 OFFICER RESPONSIBILITIES

An officer responsible for an initial investigation shall complete no less than the following:

- (a) Make a preliminary determination of whether a crime has been committed by completing, at a minimum:
 - 1. An initial statement and name block from any witnesses or complainants.
 - 2. A cursory examination for evidence.
- (b) If information indicates a crime has occurred, the officer shall:
 - 1. Preserve the scene and any evidence as required to complete the initial and follow-up investigation.
 - 2. Determine whether additional investigative resources (e.g., investigators or scene processing) are necessary and request assistance as required.
 - 3. If assistance is warranted, or if the incident is not routine, notify the Shift Supervisor.
 - 4. Make reasonable attempts to locate, identify and interview all available victims, complainants, witnesses and suspects.
 - 5. Collect any evidence.
 - 6. Take any appropriate law enforcement action.
 - 7. Complete and submit the appropriate reports and documentation.
- (c) If the preliminary determination is that no crime occurred, determine what other action may be necessary and what other resources may be available, and advise the informant or complainant of this information.

600.4 FOLLOW-UP INVESTIGATIONS RESPONSIBILITIES

Follow-up investigations may be conducted by either uniformed officers or detectives, depending on the criteria established by this department. Investigative steps include, but are not limited to:

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- (a) Reviewing and analyzing all previous reports, agency records, laboratory examination results and external sources of information.
- (b) Conducting additional interviews.
- (c) Seeking additional information (e.g. from law enforcement officers or informants).
- (d) Conducting searches for additional evidence.
- (e) Identifying and apprehending suspects.
- (f) Determining the suspect's involvement in other crimes.
- (g) Checking the suspect's criminal history.
- (h) Preparing cases for court presentation.

600.4.1 CASE MANAGEMENT

The Criminal Investigation Commander or the authorized designee shall assign active cases to members. The Criminal Investigation Commander is responsible for the proper management of all cases.

- (a) The following dispositions should be applied to each case, as applicable:
 - 1. Active
 - 2. Arrest - Adult
 - 3. Arrest - Juvenile
 - 4. Cleared Exceptional Means
 - 5. Closed Administratively
 - 6. Inactive
 - 7. For Information Only
 - 8. Pending
 - 9. Transferred
 - 10. Unfounded
- (b) Reports maintained in the case file may minimally include investigation reports, supplemental reports, evidence submission requests, analysis reports, and photograph requests relating to the case.
- (c) Access to the active criminal investigation files shall be available to all investigative members, unless the confidential nature of the investigation as determined by the Criminal Investigation Commander warrants limiting access.
- (d) Internal disposition of criminal case files shall be handled as follows:
 - 1. Electronic records shall be maintained in the records management system (RMS).
 - (a) Any external documents should be scanned into the RMS.

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2. All original supporting reports, notes, documents, or records obtained during the investigation shall be forwarded to the Records Division for archiving.
3. Procedures for the destruction of department criminal investigation files shall be in accordance with the Indiana Administrative Code and the Indiana Archives and Records Administration schedule for Public Safety Agencies (law enforcement) and Indiana laws.

600.5 CUSTODIAL INTERROGATION REQUIREMENTS

Suspects who are in custody and subjected to an interrogation shall be given the *Miranda* warning, unless an exception applies. Interview or interrogation of a juvenile shall be in accordance with the Temporary Custody of Juveniles Policy.

600.5.1 INTERROGATION

If they are in custody but not being questioned regarding a criminal act, they need not be advised of their rights.

Custody shall be defined as the inability, whether perceived or real, to move about or leave Police presence at any time.

Custody shall be, but not limited to, handcuffs, locked squad cars, detention rooms, jail cells, blocked egress, Police control, etc.

600.5.2 AUDIO/VIDEO RECORDINGS

Any custodial interrogation of an individual who is suspected of having committed any felony offense shall be recorded (audio and video) in its entirety, unless it is an exception pursuant to Indiana Rules of Court Evidence, Rule 617. Regardless of where the interrogation occurs, every reasonable effort should be made to secure functional recording equipment to accomplish such recordings.

Consideration should also be given to recording a custodial interrogation, or any investigative interview, for any other offense when it is reasonable to believe it would be appropriate and beneficial to the investigation and is otherwise allowed by law.

No recording of a custodial interrogation should be destroyed or altered without written authorization from the prosecuting attorney and the Criminal Investigation supervisor. Copies of recorded interrogations or interviews may be made in the same or a different format as the original recording, provided the copies are true, accurate and complete, and are made only for authorized and legitimate law enforcement purposes.

Recordings should not take the place of a thorough report and investigative interviews.

600.5.3 RECORDINGS

Suspects need not be told they are being recorded electronically.

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In the event that a suspect refuses to be recorded but agrees to talk otherwise, officers should record the refusal from the suspect on a standard statement form or capture the agreement on video.

For the purpose of this policy, a place of detention means a jail, law enforcement agency station house, or any other stationary or mobile building owned or operated by a law enforcement agency at which persons are detained in connection with investigations.

An electronic recording is an audio-video recording that includes the image and voice of the suspect in addition to the voice of the interrogating officer at a minimum.

600.6 DISCONTINUATION OF INVESTIGATIONS

The investigation of a criminal case or efforts to seek prosecution should only be discontinued if one of the following applies:

- (a) All reasonable investigative efforts have been exhausted, there is no reasonable belief that the person who committed the crime can be identified and the incident has been documented appropriately.
- (b) The case has been submitted to the appropriate prosecutor but no charges have been filed. Further investigation is not reasonable nor has the prosecutor requested further investigation.
- (c) The case has been submitted to the appropriate prosecutor; charges have been filed; further investigation is not reasonable, warranted or requested; and there is no need to take the suspect into custody.
- (d) Suspects have been arrested, there are no other suspects, and further investigation is either not warranted or requested.
- (e) Investigation has proved that a crime was not committed (see the Sexual Assault Investigations Policy for special considerations in these cases).

The Domestic or Family Violence, Child Abuse, Sexual Assault Investigations and Adult Abuse policies may also require an arrest or submittal of a case to a prosecutor.

600.7 COMPUTERS AND DIGITAL EVIDENCE

The collection, preservation, transportation and storage of computers, cell phones and other digital devices may require specialized handling to preserve the value of the related evidence. If it is anticipated that computers or similar equipment will be seized, officers should request that computer forensic examiners assist with seizing computers and related evidence. If a forensic examiner is unavailable, officers should take reasonable steps to prepare for such seizure and use the resources that are available.

600.8 INVESTIGATIVE USE OF SOCIAL MEDIA AND INTERNET SOURCES

Use of social media and any other Internet source to access information for the purpose of criminal investigation shall comply with applicable laws and policies regarding privacy, civil rights and

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civil liberties. Information gathered via the Internet should only be accessed by members while on-duty and for purposes related to the mission of this department. If a member encounters information relevant to a criminal investigation while off-duty or while using his/her own equipment, the member should note the dates, times and locations of the information and report the discovery to his/her supervisor as soon as practicable. The member, or others who have been assigned to do so, should attempt to replicate the finding when on-duty and using department equipment.

Information obtained via the Internet should not be archived or stored in any manner other than department-established record keeping systems (see the Records Maintenance and Release and Criminal Organizations policies).

600.9 MODIFICATION OF CHARGES FILED

Members are not authorized to recommend to the prosecutor or to any other official of the court that charges on a pending case be amended or dismissed without the authorization of a Commander or the Chief of Police. Any authorized request to modify the charges or to recommend dismissal of charges shall be made to the prosecutor.

600.10 MANDATORY NOTIFICATION

Members of the West Lafayette Police Department shall notify the Indiana Attorney General within 30 days after beginning an investigation into a violation of I.C. § 35-42-3.5-1 through I.C. § 35-42-3.5-1.4 (e.g., human trafficking, sexual trafficking/conduct, forced labor, forced marriage, prostitution) as required by I.C. § 35-42-3.5-5.

600.11 CASE SCREENING

The Department shall use the resources available to measure the assigned caseload, clearance rate, and disposition of cases assigned to members for follow-up investigation.

- (a) The Criminal Investigation Commander or the authorized designee should screen all criminal reports for follow-up assignment or closure based upon solvability factors.
- (b) In reaching a decision on whether or not to assign a case for follow up investigation, the Criminal Investigation Commander should consider the following solvability factors:
 - 1. Were there witnesses to the crime?
 - 2. Can a suspect be named?
 - 3. Can a suspect be located?
 - 4. Can a suspect be described?
 - 5. Can a suspect be identified?
 - 6. Was the suspect previously seen?
 - 7. Can the suspect's vehicle be identified?
 - 8. Is the stolen property traceable?
 - 9. Is a significant modus operandi present?
 - 10. Is significant physical evidence present?

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11. Was there opportunity for anyone but the suspect to commit the crime?
12. Is there some other significant reason to believe that the crime may be solved with a reasonable investigative effort?

Sexual Assault Investigations

601.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the investigation of sexual assaults. These guidelines will address some of the unique aspects of such cases and the effects that these crimes have on the victims.

Mandatory notification requirements are addressed in the Child Abuse and Adult Abuse policies.

601.1.1 DEFINITIONS

Definitions related to this policy include:

Sexual assault - Any crime or attempted crime of a sexual nature, to include, but not limited to, offenses defined by Indiana law:

- a. Rape (I.C. 35-42-4-1),
- b. Criminal deviate conduct (I.C. 35-42-4-2) (repealed)
(for offenses committed prior to July 1, 2014),
- c. Child molesting (I.C. 35-42-4-3),
- d. Vicarious sexual gratification (I.C. 35-42-4-5),
- e. Sexual battery (I.C. 35-42-4-8),
- f. Sexual misconduct with a minor (I.C. 35-42-4-9),
- g. Child solicitation (I.C. 35-42-4-6),
- h. Child seduction (I.C. 35-42-4-7), or
- i. Incest (I.C. 35-46-1-3).

601.2 POLICY

It is the policy of the West Lafayette Police Department that its members are responsible for insuring the safety of the victim and assisting victims in obtaining medical care by paramedics, hospital staff, mental health professionals or others. Law enforcement officers shall conduct criminal investigations for reported sex crimes, coordinate with the prosecutor to apply for and obtain search warrants, subpoenas and arrest warrants, and testify in court hearings regarding criminal investigations as needed. Law enforcement officers shall pick-up completed ISP Kit from local medical providers, maintain chain of custody for the kits, keep the kits in secured storage until needed for testing by the appropriate laboratory or court hearing and keep the kits in secure storage until destruction is permissible under Indiana law.

601.3 QUALIFIED INVESTIGATORS

Qualified investigators should be available for assignment of sexual assault investigations. These investigators should:

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- (a) Have specialized training in, and be familiar with, interview techniques and the medical and legal issues that are specific to sexual assault investigations.
- (b) Conduct follow-up interviews and investigation.
- (c) Present appropriate cases of alleged sexual assault to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies and medical personnel as needed.
- (e) Provide referrals to therapy services, victim advocates and support for the victim.
- (f) Participate in or coordinate with the SART or other multidisciplinary investigative teams as applicable.

601.4 REPORTING

In all reported or suspected cases of sexual assault, a report should be written and assigned for follow-up investigation. Upon notification of a reported sex crime, law enforcement officers will contact the victim and determine whether any immediate medical attention is necessary. If necessary, the law enforcement officer will assist the victim to obtain immediate medical assistance through paramedics, hospital staff or others. If immediate medical attention is not necessary, the law enforcement officer will take an initial report and begin a criminal investigation according to department policies and procedures. If the victim consents to a forensic medical examination, the law enforcement officer will assist arranging the examination at Franciscan Health Lafayette Center of Hope, Indiana University Health Arnett Center of Hope or another medical facility with staff qualified to provide a forensic medical examination.

Once notified, law enforcement must pick up the ISP Kit collected by a medical provider within 48 hours and transport it to secured storage. Law enforcement must keep the ISP Kit in secured storage until otherwise appropriate as outlined in section 601.4.3 of this policy.

601.4.1 VICTIM INTERVIEWS

the Dispatch Center

officer

An officer An officer

Before a law enforcement officer commences an interview of a victim, the law enforcement officer shall inform the victim of the following:

(1) The victim's rights in a document to be developed by the state sexual assault response team, which shall be signed by the victim to confirm receipt, unless the victim has already been provided with the document under IC 35-40.5-4-2.

[See attachment: Notice of Victim Rights Under Indiana Law.pdf](#)

[See attachment: RECEIPT_Rights-of-Victims-of-Sexual-Assault.pdf](#)

[See attachment: Sexual-assault-victims-rights-English \(1\).pdf](#)

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[See attachment: Sexual-assault-victims-rights-Spanish \(1\).pdf](#)

(2) The victim's right to speak with a victim advocate or victim service provider during the course of the investigation, and that the victim has the right to speak to victims assistance or a social worker if a victim advocate or victim service provider is not available.

Victims are often reluctant or embarrassed to discuss details. Recanting or changing one or more aspects of a prior statement is not necessarily an indication of false reporting or that the case is unfounded. If the responding officer has reason to believe the incident may be without merit, he/she should document the evidence and inconsistencies. Due to physical and emotional trauma, and the myths and stereotypes associated with sexual assault, inconsistencies in the victim's report are not uncommon. No opinions of whether the case is unfounded shall be included in the report.

An officer may not require a victim to submit to a polygraph or other truth telling device examination (I.C. § 35-37-4.5-2). An officer may not refuse to investigate, charge or prosecute a sexual assault offense solely because the victim has not submitted to a polygraph or other truth telling device examination (I.C. § 35-37-4.5-3).

601.4.2 PROTOCOL FOR CHILD VICTIMS

Level of Urgency	Timing of Exam	Medical Indications
Emergency	Exam scheduled without delay	<ul style="list-style-type: none">• Medical, psychological or safety concerns such as acute pain or bleeding, suicidal ideation or suspected human trafficking• Alleged assault may have occurred within the previous 72 hours necessitating collection of evidence for later forensic analysis• Need for emergency contraception• Need for post-exposure prophylaxis for STIs

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Urgent	Exam scheduled as soon as possible with qualified provider	<ul style="list-style-type: none">• Suspected or reported sexual contact occurred within the previous 2 weeks without emergency medical, psychological or safety needs identified
Non-Urgent	Exam scheduled at convenience of family and provider but ideally within 2-3 weeks	<ul style="list-style-type: none">• Disclosure of abuse by child, sexualized behaviors, sexual abuse suspected by MDT, or family concern for sexual abuse, but contact occurred more than 2 weeks prior without emergency medical, psychological or safety needs identified

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Sexual Assault Investigations

Follow-Up	As determined by provider	<ul style="list-style-type: none">Findings on the initial examination are unclear or questionable necessitating reevaluationFurther testing for STIs not identified or treated during the initial examinationDocumentation of healing/resolution of acute findingsConfirmation of initial examination findings, when initial examination was performed by an examiner who conducted fewer than 100 such evaluations
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Sex crimes involving children are investigated jointly by a Multi-Disciplinary Team (MDT) of law enforcement, the Department of Child Services and an investigator of the prosecutor's office. The MDT works closely together to make sure a child victim obtains an appropriate forensic medical examination to ensure the medical safety of the child and to collect and preserve any potential forensic evidence. Children who report possible sexual abuse are interviewed by trained child forensic interviewers at the Heartford House, a local children's advocacy center. The MDT protocol requires that children age 17 and younger be interviewed at Heartford House unless determined otherwise by the MDT. Also, persons with special needs including emotional or mental disabilities may be interviewed at Heartford House as determined appropriate by the MDT.

When there is an immediate medical need, the examination will occur at the appropriate medical facility including an emergency department for serious or acute injury. The health and safety of the child are always superior to that of any forensic interview. Where possible and appropriate, the forensic interview will occur before the forensic medical examination in order to assist in the identification and collection of crucial forensic evidence at the subsequent forensic medical examination.

The MDT will participate in the interview process according to Heartford House protocol and guidelines. This includes meeting together after the interview of the child to decide what next steps will be taken in the investigation and who will be responsible for making sure the child obtains a

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Sexual Assault Investigations

prompt and appropriate forensic medical examination. The MDT will not leave Heartford House until those decisions are made.

To schedule a forensic medical examination, law enforcement and other agencies may contact the following medical providers:

- Riley Center of Hope 317-944-5000
 - Tanya Malone, cell: 765-491-9648 and pager: 317- 312-5598
- Peyton Manning Children's Hospital Center of Hope 317-338-1956
- Franciscan Health Lafayette Center of Hope 765-502-4901
 - Emergency Room 765-502-4030
- Indiana University Health Arnett Center of Hope 765-838-5100

It is highly recommended that all children who make any disclosure of sexual abuse have a forensic medical examination conducted by a SANE or a pediatric SANE. This is especially true if the child describes any sort of penetration, however remote in time. Even if the child discloses fondling or other sexual conduct and denies penetration occurred, an examination is still recommended as many children have difficulty understanding or explaining everything that happened to them or may be too embarrassed to disclose something of this nature.

All individuals, including medical professionals, are required to report all cases of suspected abuse of a person age 17 or younger, no matter the choice or wishes of the parents or the child. I.C. Code 31-33-5-4

601.4.3 ANONYMOUS REPORTING OF ADULT SEX CRIME

An adult victim of sex crime may choose to seek medical treatment only and not to make a report to law enforcement. Medical personnel are not required to report the sex crime of an adult to law enforcement if the adult chooses not to make such a report. Medical personnel may encourage the victim to submit to the forensic medical examination and evidence collection so if the victim later changes his or her mind about reporting to law enforcement, evidence from the forensic medical examination will have been properly preserved.

In those situations where the adult victim agrees to submit to the forensic medical examination but chooses to delay reporting or not to report to law enforcement, the SANE will question the victim generally to determine where the alleged sex crime occurred, and which law enforcement agency has proper jurisdiction.

In situations where the SANE is able to determine the alleged crime occurred within the city limits of West Lafayette, a West Lafayette Police Officer will take custody of the ISP kit. That officer will assign a standard case number to the kit and write a report detailing the chain of custody of the ISP Kit with the case number, the date collected, from whom the ISP Kit was obtained (name of SANE) and any other details unique to the taking custody of the Kit. The officer or his immediate supervisor will notify the West Lafayette Property Room Manager that an anonymous ISP Kit is being logged into evidence.

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If the victim chooses to make a report to law enforcement within 12 months, law enforcement will obtain a Consent to Release form from the now-reporting victim and obtain the medical records from the medical facility where the victim was examined. The officer or detective investigating the now-reported sex crime, will conduct the investigation under the original case number to maintain continuity and to be able to identify the ISP Kit.

ISP kits collected for any sex crime in which the crime occurred outside Tippecanoe County or where jurisdiction cannot be determined, the Indiana State Police will take custody of the kit.

601.4.4 COLLECTION AND TESTING OF BIOLOGICAL EVIDENCE

officers Property and Evidence Section

West Lafayette Officers who respond to reports of sexual assault will collect all ISP Kits from medical providers and keep the ISP Kits in secured storage according to department policies and procedures regardless of whether the crime was reported to law enforcement or not. Where appropriate, ISP Kits will be removed from secured storage and transported to the Indiana State Police Laboratory for testing. Once testing is complete, the ISP Kits will be returned to the West Lafayette Police Department and kept in secured storage.

For crimes reported to law enforcement, the ISP Kits and other evidence related to the sex crime must remain in secured storage for a period of at least 1 year or until the applicable statute of limitations has run pursuant to I.C. 16-21-8-10. Furthermore, destruction of the ISP Kits and other evidence is subject to the status of any criminal investigation, any pending criminal charges, any criminal cases pending appeal or petitions for post-conviction relief and the statute of limitations as described in I.C. 35-41-4-2. Premature destruction may adversely affect the investigation or legal proceeding. Members of the West Lafayette Police Department shall consult the established protocol between law enforcement agencies and the Prosecutor's Office before the ISP Kits or other evidence may be destroyed.

For crimes not reported to law enforcement, the ISP Kit or the "Jane Doe Kit" will be collected from the medical provider and must be kept in secured storage for a period of two years. The Indiana State Police Laboratory will not accept ISP Kits for testing where the crime has not been reported to law enforcement and therefore, the ISP Kit will not be tested unless the victim subsequently reports the crime to law enforcement.

It is the policy of the West Lafayette Police Department that these ISP Kits or "Jane Doe Kits" will be maintained in secure storage for a period of two years. If the crime is reported within two years or the ISP Kit is still available, the ISP Kit will be handled as previously outlined and sent to the Indiana State Police Laboratory for testing.

Within 48 hours of receiving notification that a sample has been collected, officers shall receive the sample and secure the sample in accordance with the Property and Evidence Section Policy (I.C. § 16-21-8-10).

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Sexual Assault Investigations

601.5 DISPOSITION OF CASES

If the assigned investigator has reason to believe the case is without merit, the case may be classified as unfounded only upon review and approval of the Criminal Investigation supervisor.

Classification of a sexual assault case as unfounded requires the Criminal Investigation supervisor to determine that the facts have significant irregularities with reported information and that the incident could not have happened as it was reported. When a victim has recanted his/her original statement, there must be corroborating evidence that the allegations were false or baseless (i.e., no crime occurred) before the case should be determined as unfounded.

Asset Forfeiture

602.1 PURPOSE AND SCOPE

This policy describes the authority and procedure for the seizure, forfeiture and liquidation of property associated with designated offenses.

602.1.1 DEFINITIONS

Definitions related to this policy include:

Fiscal agent - The person designated by the Chief of Police to be responsible for securing and maintaining seized assets and distributing any proceeds realized from any forfeiture proceedings. This includes any time the West Lafayette Police Department seizes property for forfeiture or when the West Lafayette Police Department is acting as the fiscal agent pursuant to a multi-agency agreement.

Forfeiture - The process by which legal ownership of an asset is transferred to a government or other authority.

Forfeiture reviewer - The department member assigned by the Chief of Police who is responsible for reviewing all forfeiture cases and acting as the liaison between the Department and the forfeiture counsel.

Property subject to forfeiture - Property that may be subject to forfeiture includes (I.C. § 34-24-1-1):

- (a) A vehicle used or intended for use to transport or facilitate the transportation of:
 - 1. A controlled substance used to commit specific offenses (I.C. § 35-48-4-1 et seq.).
 - 2. Stolen or converted property if the retail or repurchase value of that property is \$100 or more (I.C. § 35-43-4-2; I.C. § 35-43-4-3).
 - 3. Hazardous waste in violation of I.C. § 13-30-10-1.5.
 - 4. A bomb or weapon of mass destruction used to commit or attempt an act of terrorism.
- (b) Money, weapons, cell phones, or other property used to commit, attempt to commit, or conspire to commit an act of terrorism under I.C. § 35-50-2-18 or an offense under Article 47 of the Criminal Procedure Law (Weapons and Instruments of Violence) relating to an act of terrorism.
- (c) Money, weapons, cell phones, or other property used as consideration for a violation of certain offenses relating to controlled substances (I.C. § 35-48-4-1 et seq.).
- (d) Real or personal property purchased with money that is traceable as a proceed of a violation of a criminal statute.
- (e) A vehicle that is used to commit, attempt to commit, or conspire, to commit: murder, dealing in a controlled substance resulting in death, kidnapping, criminal confinement, rape, child molesting, child exploitation, or terrorism.

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- (f) Real property owned by a person who has used it to commit a specified Level 1, Level 2, Level 3, Level 4, or Level 5 felony involving controlled substance offenses.
- (g) Equipment and recordings used by a person to commit credit card fraud in violation of I.C. § 35-43-5-4(10).
- (h) "Bootlegged" recordings sold, rented, transported, or possessed in violation of I.C. § 24-4-10-4.
- (i) Property or an enterprise that is the object of a corrupt business influence in violation of I.C. § 35-45-6-2.
- (j) Unlawful telecommunications devices and plans, instructions, or publications used to commit an unauthorized use of telecommunications services (I.C. § 35-45-13-6; I.C. § 35-45-13-7).
- (k) Equipment, including computer equipment and cellular telephones, used for or intended for use in preparing, photographing, recording, videotaping, digitizing, printing, copying, or disseminating matter in violation of specific sex crimes (I.C. § 35-42-4-1 et seq.).
- (l) Destructive devices used, possessed, transported, or sold in violation of I.C. § 35-47.5-5-2.
- (m) Tobacco products that are sold or attempted to be sold in violation of I.C. § 24-3-5-0.1, et seq.
- (n) Property used by a person to commit counterfeiting or forgery (I.C. § 35-43-5-2).
- (o) Property used or intended to be used to commit, facilitate, or promote the commission of a prescription drug offense or facilitate such an offense, and where there has been a conviction (I.C. § 25-26-14-26(b)).
- (p) A vehicle operated by the owner or spouse of the owner while intoxicated or with suspended driving privileges after being convicted of two or more related offenses within the previous five years.
- (q) Real or personal property used or intended to be used to commit or derived from fraud related to funeral or cemetery services.
- (r) An automated sales suppression device or phantom-ware related to cash register fraud.
- (s) Real or personal property, including a vehicle, used or intended to be used to commit, facilitate, or escape from a violation of human trafficking (I.C. § 35-42-3.5-1 through I.C. § 35-42-3.5-1.4) or promoting prostitution (I.C. § 35-45-4-4).

Seizure - The act of law enforcement officials taking property, cash or assets that have been used in connection with or acquired by specified illegal activities.

602.2 POLICY

The West Lafayette Police Department recognizes that appropriately applied forfeiture laws are helpful to enforce the law, deter crime and reduce the economic incentive of crime. However, the potential of revenue shall not be allowed to jeopardize the effective investigation and prosecution

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of criminal offenses, officer safety, the integrity of ongoing investigations or any person's due process rights.

It is the policy of the West Lafayette Police Department that all members, including those assigned to internal or external law enforcement task force operations, shall comply with all state and federal laws pertaining to forfeitures.

602.3 PROCESSING SEIZED PROPERTY FOR FORFEITURE PROCEEDINGS

When property or cash subject to this policy is seized, the officer making the seizure should ensure compliance with the following:

- (a) Complete and submit a case report to the prosecutor for review.

The officer will book seized property as evidence.

Photographs shall be taken of items seized, particularly cash, jewelry and other valuable items.

602.4 MAINTAINING SEIZED PROPERTY

The Property and Evidence Section supervisor is responsible for ensuring compliance with the following:

- (a) All property received for forfeiture is reasonably secured and properly stored to prevent waste and preserve its condition.
- (b) All property received for forfeiture is checked to determine whether the property has been stolen.
- (c) All property received for forfeiture is retained in the same manner as evidence until forfeiture is finalized or the property is returned to the claimant or the person with an ownership interest.
- (d) Property received for forfeiture is not used unless the forfeiture action has been completed.
- (e) Forfeitable property is retained until such time as its use as evidence is no longer required.

602.5 DISPOSITION OF FORFEITED PROPERTY

Court orders may permit the West Lafayette Police Department to use the forfeited property for up to three years and then be put up for public sale. No property shall be used in any way or kept longer than allowed by any associated court order (I.C. § 34-24-1-4).

Federal forfeiture funds received by the West Lafayette Police Department are required to be deposited in a non-reverting fund and expended only with proper approval (I.C. § 34-24-1-9).

No member of this department may use property that has been seized for forfeiture until the forfeiture action has been completed and the Chief of Police has given authorization to retain the property for official use. No department member involved in the decision to seize property should be involved in any decision regarding the disposition of the property.

Informants

603.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the use of informants and buy/expense funds.

603.1.1 DEFINITIONS

Definitions related to this policy include:

Buy/expense funds - Monies that are allocated to purchase services, and evidence, and gather information, which may include the purchase of contraband, and/or services in a prostitution investigation, or payment to an informant for information.

Informant - A person who covertly interacts with other individuals or suspects at the direction or request of, or by agreement with, the West Lafayette Police Department for law enforcement purposes. This also includes a person agreeing to supply information to the West Lafayette Police Department for a benefit (e.g., a quid pro quo in the form of a reduced criminal penalty, money).

603.2 POLICY

The West Lafayette Police Department recognizes the value of informants to law enforcement efforts and will strive to protect the integrity of the informant process. It is the policy of this department that all funds related to informant payments and expenditures relating to informants will be routinely reviewed and that payments to informants and expenditures relating to informants will be made according to the criteria outlined in this policy.

603.3 USE OF INFORMANTS

603.3.1 INITIAL APPROVAL

Before using an individual as an informant, an officer must receive approval the Chief or his designee.. The officer shall compile sufficient information through a background investigation and experience with the informant in order to determine the suitability of the individual, including age, maturity and risk of physical harm, as well as any indicators of his/her reliability and credibility.

Members of this department should not guarantee absolute safety or confidentiality to an informant.

603.3.2 JUVENILE INFORMANTS

The use of informants under the age of 18 is prohibited.

603.3.3 INFORMANT AGREEMENTS

All informants are required to sign and abide by the provisions of the designated department informant agreement. The officer using the informant shall discuss each of the provisions of the agreement with the informant.

603.4 INFORMANT INTEGRITY

To maintain the integrity of the informant process, the following must be adhered to:

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- (a) The identity of an informant acting in a confidential capacity shall not be withheld from the Chief of Police, Commander, Narcotics Unit supervisor or their authorized designees.
 - 1. Identities of informants acting in a confidential capacity shall otherwise be kept confidential.
- (b) Criminal activity by informants shall not be condoned.
- (c) Informants shall be told they are not acting as police officers, employees or agents of the West Lafayette Police Department, and that they shall not represent themselves as such.
- (d) The relationship between department members and informants shall always be ethical and professional.
 - 1. Members shall not become intimately involved with an informant.
 - 2. Social contact shall be avoided unless it is necessary to conduct an official investigation, and only with prior approval of the Narcotics Unit supervisor.
 - 3. Members shall neither solicit nor accept gratuities or engage in any private business transaction with an informant.
- (e) Officers shall not meet with informants in a private place unless accompanied by at least one additional officer or with prior approval of the Narcotics Unit supervisor.
 - 1. Officers may meet informants alone in an occupied public place, such as a restaurant.
- (f) When contacting informants for the purpose of making payments, officers shall arrange for the presence of another officer.
- (g) In all instances when department funds are paid to informants, a voucher shall be completed in advance, itemizing the expenses.
- (h) Since the decision rests with the appropriate prosecutor, officers shall not promise that the informant will receive any form of leniency or immunity from criminal prosecution.

603.4.1 UNSUITABLE INFORMANTS

The suitability of any informant should be considered before engaging him/her in any way in a covert or other investigative process. Members who become aware that an informant may be unsuitable will notify the supervisor, who will initiate a review to determine suitability. Until a determination has been made by a supervisor, the informant should not be used by any member. The supervisor shall determine whether the informant should be used by the Department and, if so, what conditions will be placed on his/her participation or any information the informant provides. The supervisor shall document the decision and conditions in the informants file..

Considerations for determining whether an informant is unsuitable include, but are not limited to, the following:

- (a) The informant has provided untruthful or unreliable information in the past.
- (b) The informant behaves in a way that may endanger the safety of an officer.

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- (c) The informant reveals to suspects the identity of an officer or the existence of an investigation.
- (d) The informant appears to be using his/her affiliation with this department to further criminal objectives.
- (e) The informant creates officer-safety issues by providing information to multiple law enforcement agencies simultaneously, without prior notification and approval of each agency.
- (f) The informant engages in any other behavior that could jeopardize the safety of officers or the integrity of a criminal investigation.
- (g) The informant commits criminal acts subsequent to entering into an informant agreement.

603.5 INFORMANT FILES

Informant files shall be utilized as a source of background information about the informant, to enable review and evaluation of information provided by the informant, and to minimize incidents that could be used to question the integrity of department members or the reliability of the informant.

Informant files shall be maintained in a secure area within the Narcotics Unit. The Narcotics Unit supervisor or the authorized designee shall be responsible for maintaining informant files. Access to the informant files shall be restricted to the Chief of Police, Narcotics Unit supervisor or their authorized designees.

603.5.1 FILE SYSTEM PROCEDURE

A separate file shall be maintained on each informant and shall be coded with an assigned informant control number. An informant history that includes the following information shall be prepared for each file:

- (a) Name and aliases
 - (b) Date of birth
 - (c) Physical description: sex, race, height, weight, hair color, eye color, scars, tattoos or other distinguishing features
 - (d) Photograph
 - (e) Current home address and telephone numbers
 - (f) Current employers, positions, addresses and telephone numbers
 - (g) Vehicles owned and registration information
 - (h) Places frequented
 - (i) Briefs of information provided by the informant and his/her subsequent reliability
1. If an informant is determined to be unsuitable, the informant's file is to be marked "unsuitable" and notations included detailing the issues that caused this classification.

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- (j) Name of the officer initiating use of the informant
- (k) Signed informant agreement
- (l) Update on active or inactive status of informant

Eyewitness Identification

604.1 PURPOSE AND SCOPE

This policy sets forth guidelines to be used when members of this department employ eyewitness identification techniques.

604.1.1 DEFINITIONS

Definitions related to this policy include:

Eyewitness identification process - Any field identification, live lineup or photographic identification.

Field identification - A live presentation of a single individual to a witness following the commission of a criminal offense for the purpose of identifying or eliminating the person as the suspect.

Live lineup - A live presentation of individuals to a witness for the purpose of identifying or eliminating an individual as the suspect.

Photographic lineup - Presentation of photographs to a witness for the purpose of identifying or eliminating an individual as the suspect.

604.2 POLICY

The West Lafayette Police Department will strive to use eyewitness identification techniques, when appropriate, to enhance the investigative process and will emphasize identifying persons responsible for crime and exonerating the innocent.

604.3 INTERPRETIVE SERVICES

Members should make a reasonable effort to arrange for an interpreter before proceeding with eyewitness identification if communication with a witness is impeded due to language or hearing barriers.

Before the interpreter is permitted to discuss any matter with the witness, the investigating member should explain the identification process to the interpreter. Once it is determined that the interpreter comprehends the process and can explain it to the witness, the eyewitness identification may proceed as provided for within this policy.

604.4 EYEWITNESS IDENTIFICATION

Members are cautioned not to, in any way, influence a witness as to whether any subject or photo presented in a lineup is in any way connected to the case. Members should avoid mentioning that:

- The individual was apprehended near the crime scene.
- The evidence points to the individual as the suspect.
- Other witnesses have identified or failed to identify the individual as the suspect.

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Eyewitness Identification

In order to avoid undue influence, witnesses should view suspects or a lineup individually and outside the presence of other witnesses. Witnesses should be instructed to avoid discussing details of the incident or of the identification process with other witnesses.

Whenever feasible, the eyewitness identification procedure should be audio and/or video recorded and the recording should be retained according to current evidence procedures.

604.5 PHOTOGRAPHIC LINEUP AND LIVE LINEUP CONSIDERATIONS

Individuals in the lineup should reasonably match the description of the perpetrator provided by the witness and should bear similar characteristics to avoid causing any person to unreasonably stand out. In cases involving multiple suspects, a separate lineup should be conducted for each suspect. The suspects should be placed in a different order within each lineup.

A live lineup should only be used before criminal proceedings have been initiated against the suspect. If there is any question as to whether any criminal proceedings have begun, the investigating member should contact the appropriate prosecuting attorney before proceeding.

604.6 FIELD IDENTIFICATION CONSIDERATIONS

Field identifications, also known as field elimination show-ups or one-on-one identifications, may be helpful in certain cases.

When initiating a field identification, the member should observe the following guidelines:

- (a) Obtain a complete description of the suspect from the witness.
- (b) Assess whether a witness should be included in a field identification process by considering:
 - 1. The length of time the witness observed the suspect.
 - 2. The distance between the witness and the suspect.
 - 3. Whether the witness could view the suspect's face.
 - 4. The quality of the lighting when the suspect was observed by the witness.
 - 5. Whether there were distracting noises or activity during the observation.
 - 6. Any other circumstances affecting the witness's opportunity to observe the suspect.
 - 7. The length of time that has elapsed since the witness observed the suspect.
- (c) If safe and practicable, the person who is the subject of the show-up should not be handcuffed or in a patrol vehicle.
- (d) When feasible, members should bring the witness to the location of the subject of the show-up, rather than bring the subject of the show-up to the witness.
- (e) In cases involving multiple suspects, witnesses should only be permitted to view the subjects of the show-up one at a time.

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- (f) The person who is the subject of the show-up should not be required to put on clothing worn by the suspect, to speak words uttered by the suspect or to perform other actions mimicking those of the suspect.

604.7 DOCUMENTATION

A thorough description of the eyewitness process and the result of any eyewitness identification should be documented in the case report.

If a photographic lineup is utilized, a copy of the photographic lineup presented to the witness should be included in the case report.

Brady Information

605.1 PURPOSE AND SCOPE

This policy establishes guidelines for identifying and releasing potentially exculpatory or impeachment information (so-called “*Brady* information”) to a prosecuting attorney.

605.1.1 DEFINITIONS

Definitions related to this policy include:

***Brady* information** - Information known or possessed by the West Lafayette Police Department that is both favorable and material to the current prosecution or defense of a criminal defendant.

605.2 POLICY

The West Lafayette Police Department will conduct fair and impartial criminal investigations and will provide the prosecution with both incriminating and exculpatory evidence, as well as information that may adversely affect the credibility of a witness. In addition to reporting all evidence of guilt, the West Lafayette Police Department will assist the prosecution by complying with its obligation to disclose information that is both favorable and material to the defense. The Department will identify and disclose to the prosecution potentially exculpatory information, as provided in this policy.

605.3 DISCLOSURE OF INVESTIGATIVE INFORMATION

Officers must include in their investigative reports adequate investigative information and reference to all material evidence and facts that are reasonably believed to be either incriminating or exculpatory to any individual in the case. If an officer learns of potentially incriminating or exculpatory information any time after submission of a case, the officer or the handling investigator must prepare and submit a supplemental report documenting such information as soon as practicable. Supplemental reports shall be promptly processed and transmitted to the prosecutor’s office.

If information is believed to be privileged or confidential (e.g., informant or attorney-client information, attorney work product), the officer should discuss the matter with a supervisor and/or prosecutor to determine the appropriate manner in which to proceed.

Evidence or facts are considered material if there is a reasonable probability that they would affect the outcome of a criminal proceeding or trial. Determining whether evidence or facts are material often requires legal or even judicial review. If an officer is unsure, the officer should address the issue with a supervisor.

Supervisors who are uncertain about whether evidence or facts are material should address the issue in a written memo to an appropriate prosecutor. A copy of the memo should be retained in the department case file.

605.4 BRADY PROCESS

The Captain of Special Services will coordinate requests for *Brady* information.

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Brady Information

The responsibilities of the coordinator include, but are not limited to:

- (a) Working with the appropriate prosecutors' offices and the City Attorney's office to establish systems and processes to determine what constitutes *Brady* information and the method for notification and disclosure.
- (b) Maintaining a current list of members who have *Brady* information in their files or backgrounds.

605.5 DISCLOSURE OF REQUESTED INFORMATION

If *Brady* information is located, the following procedure shall apply:

- (a) In the event that a motion has not already been filed by the criminal defendant or other party, the prosecuting attorney and department member whose file is related to the motion shall be notified of the potential presence of *Brady* information in the member's personnel file.
- (b) The prosecuting attorney or City Attorney should be requested to file a motion in order to initiate an in-camera review by the court.
 - 1. If no motion is filed, the Custodian of Records should work with the appropriate counsel to determine whether the records should be disclosed to the prosecutor.
- (c) The Custodian of Records shall accompany all relevant personnel files during any in-camera inspection and address any issues or questions raised by the court in determining whether any information contained in the files is both material and favorable to the criminal defendant.
- (d) If the court determines that there is relevant *Brady* information contained in the files, only that information ordered released will be copied and released to the parties filing the motion.
 - 1. Prior to the release of any information pursuant to this process, a protective order should be requested from the court limiting the use of such information to the involved case and requiring the return of all copies upon completion of the case.
- (e) If a court has determined that relevant *Brady* information is contained in a member's file in any case, the prosecutor should be notified of that fact in all future cases involving that member.

605.6 INVESTIGATING BRADY ISSUES

If the Department receives information from any source that a member may have issues of credibility or dishonesty or has been engaged in an act of moral turpitude or criminal conduct, the information shall be investigated and processed in accordance with the Personnel Complaints Policy.

605.7 TRAINING

Department personnel should receive periodic training on the requirements of this policy.

Unmanned Aerial System

606.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of an unmanned aerial system (UAS) and for the storage, retrieval and dissemination of images and data captured by the UAS.

606.1.1 DEFINITIONS

Definitions related to this policy include:

Unmanned aerial system (UAS) - An unmanned aircraft of any type that is capable of sustaining directed flight, whether preprogrammed or remotely controlled (commonly referred to as an unmanned aerial vehicle (UAV)), and all of the supporting or attached systems designed for gathering information through imaging, recording or any other means (I.C. § 35-31.5-2-342.3; I.C. § 35-33-5-0.5(7); I.C. § 35-33-5-0.5(8)).

606.2 POLICY

A UAS may be utilized to enhance the department's mission of protecting lives and property when other means and resources are not available or are less effective. Any use of a UAS will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations.

606.3 PRIVACY

The use of the UAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., residence, yard, enclosure) (I.C. § 35-33-5-9). Operators and observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy. Reasonable precautions can include, for example, deactivating or turning imaging devices away from such areas or persons during UAS operations.

606.4 PROGRAM COORDINATOR

The Chief of Police will appoint a program coordinator who will be responsible for the management of the UAS program. The program coordinator will ensure that policies and procedures conform to current laws, regulations and best practices and will have the following additional responsibilities:

- Coordinating the FAA Certificate of Waiver or Authorization (COA) application process and ensuring that the COA is current, and/or coordinating compliance with FAA Part 107 Remote Pilot Certificate, as appropriate for department operations.
- Ensuring that all authorized operators and required observers have completed all required FAA and department-approved training in the operation, applicable laws, policies, and procedures regarding use of the UAS.
- Developing uniform protocols for submission and evaluation of requests to deploy a UAS, including urgent requests made during ongoing or emerging incidents.

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Deployment of a UAS shall require written authorization of the Chief of Police or the authorized designee, depending on the type of mission.

- Coordinating the completion of the FAA Emergency Operation Request Form in emergency situations, as applicable (e.g., natural disasters, search and rescue, emergency situations to safeguard human life).
- Developing protocols for conducting criminal investigations involving a UAS, including documentation of time spent monitoring a subject.
- Implementing a system for public notification of UAS deployment.
- Developing operational protocols governing the deployment and operation of a UAS including but not limited to safety oversight, use of visual observers, establishment of lost link procedures, and secure communication with air traffic control facilities.
- Developing a protocol for fully documenting all missions.
- Developing a UAS inspection, maintenance, and record-keeping protocol to ensure continuing airworthiness of a UAS, up to and including its overhaul or life limits.
- Developing protocols to ensure that all data intended to be used as evidence are accessed, maintained, stored, and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, authenticity certificates, and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.
- Developing protocols that ensure retention and purge periods are maintained in accordance with established records retention schedules.
- Facilitating law enforcement access to images and data captured by the UAS.
- Recommending program enhancements, particularly regarding safety and information security.
- Ensuring that established protocols are followed by monitoring and providing periodic reports on the program to the Chief of Police.
- Maintaining familiarity with FAA regulatory standards, state laws and regulations, and local ordinances regarding the operations of a UAS.

606.5 USE OF UAS

Only authorized operators who have completed the required training shall be permitted to operate the UAS.

Use of vision enhancement technology (e.g., thermal and other imaging equipment not generally available to the public) is permissible in viewing areas only where there is no protectable privacy interest or when in compliance with a search warrant or court order. In all other instances, legal counsel should be consulted.

UAS operations should only be conducted within the guidelines of the FAA approved COA. (Attachments Below)

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[See attachment: 2020-CSA-6361 City of West Lafayette.pdf](#)

[See attachment: 2020-CSA-6370 City of West Lafayette.pdf](#)

Use of a department UAS is permitted (I.C. § 35-33-5-9):

- (a) Pursuant to a search warrant.
- (b) Without a warrant if a law enforcement officer determines a UAS is required due to the existence of any of the following conditions:
 - 1. Exigent circumstances
 - 2. The substantial likelihood of a terrorist attack
 - 3. The need to conduct a search and rescue or recovery operation
 - 4. In response to or to mitigate the results of a natural disaster or other disaster
 - 5. The need to perform a geographical, environmental or other survey for a non-criminal justice purpose
- (c) To obtain aerial photographs or video images of a motor vehicle accident site on a public street or public highway.
- (d) With the consent of any affected property owner.

606.6 PROHIBITED USE

The UAS video surveillance equipment shall not be used:

- To conduct random surveillance activities.
- To target a person based solely on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability.
- To harass, intimidate, or discriminate against any individual or group.
- To conduct personal business of any type.

The UAS shall not be weaponized.

606.7 RETENTION OF UAS DATA

Data collected by the UAS shall be retained as provided in the established records retention schedule.

Warrant Service

607.1 PURPOSE AND SCOPE

This policy establishes guidelines for the planning and serving of arrest and search warrants by members of this department. It is understood that this policy cannot address every variable or circumstance that can arise in the service of a search or arrest warrant, as these tasks can involve rapidly evolving and unique circumstances.

This policy is intended to be used in conjunction with the Operations Planning and Deconfliction Policy, which has additional guidance on planning and serving high-risk warrants.

This policy is not intended to address the service of search warrants on locations or property already secured or routine field warrant arrests by patrol officers.

607.2 POLICY

It is the policy of the West Lafayette Police Department to balance the safety needs of the public, the safety of department members, privacy interests and other relevant factors when making decisions related to the service of search and arrest warrants.

607.3 SEARCH WARRANTS

Officers should receive authorization from a supervisor before preparing a search warrant application. Once authorization is received, the officer will prepare the affidavit and search warrant, consulting with the applicable prosecuting attorney.

607.3.1 SEARCH WARRANT SERVICE

Once signed, the warrant should be served as soon and as safely as possible.

A search warrant is valid for ten days after it is signed by a Judge/Magistrate. However, search warrants are often issued based on information that can become “stale”. In these instances, officers should attempt to serve warrants before the information becomes stale. If this is not possible, the warrant will be returned appreciable delay between the occurrence of the circumstances that create probable cause and the time a warrant is issued or served, the facts supporting the probable cause determination may become stale, in that, although the alleged facts may have once supported a probable cause determination, presently, they may not. Staleness is judged on the facts and circumstances of each case. The length of time between the occurrence of the illegal act and the issuance of a warrant is more likely to be a factor with an isolated crime and is less significant with regard to ongoing crimes.

607.3.2 SEARCH WARRANT SERVICE

Officers will announce themselves as police officers and knock at the main entrance to the location unless exigent circumstances exist for an immediate or “no knock entry”.

When an officer is seeking a search warrant, and the officer feels that a “no knock entry” is justified when serving the search warrant, the officer must document his/her justification for the “no knock entry” in the accompanying affidavit of probable cause. The Judge/Magistrate issuing the

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search warrant will determine if a “no knock entry” is justified. This does not apply if an officer has already obtained a search warrant, and prior to executing the search warrant, the officer obtains or becomes aware of new information or other circumstances arise where the officer feels justified in making a “no knock entry”. These instances will be authorized by the commanding officer on scene. Failure to follow this policy can result in the suppression of evidence and civil liability for the officers involved.

Once inside the location the warrant will be read out loud to the occupant(s). If no one is at the location, the warrant will still be read out loud.

Once the warrant has been read the residence or scene will be video recorded or photographed prior to removing any evidence.

In the case of the occupants being home a copy of the warrant will be left with the homeowner/resident. If the homeowner/residents are not present during the search a copy of the warrant will be left in a highly visible location inside the residence.

The original warrant will have the date, time warrant served, time search concluded and the signature of the serving officer on it.

The shift commander will determine if an evidence technician should be called to the scene to process all evidence.

607.4 RECORDING AND ENTRY OF ARREST WARRANTS

Arrest warrants received from the Prosecuting Attorney’s Office or a judicial court will be recorded with the Tippecanoe County Sheriff’s Department.

Upon the receipt of the arrest warrant the information on the warrant will be checked for its accuracy (Name, DOB, Identifiers). It will also be checked to assure that it has been signed and stamped by the issuing court and has a valid expiration date.

- a) The Dispatcher at the time of receipt of the warrant will check the document for the above mentioned accuracy.
- b) Dispatch will run a III/CHRI on the wanted person to check their criminal history background.
- c) Dispatch will enter the warrant into IDACS and/or NCIC and Records will enter into RMS.
- d) Records will place a copy of the warrant in the “new warrants” folder for roll call. (We no longer utilize a warrant list..., we now use this folder method, located atop the shift boxes.)
- e) Dispatch will complete warrant information sheet and file in warrant box.

607.5 ARREST WARRANT SERVICE

If an officer reasonably believes that serving an arrest warrant may pose a higher risk than commonly faced on a daily basis, the officer should consult with their shift commander.

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If the warrant is classified as high risk, service will be coordinated by the SRT Administrative Commander. If the warrant is not classified as high risk, the supervisor should weigh the risk of entry into a residence to make an arrest against other alternatives, such as arresting the person outside the residence where circumstances may pose a lower risk.

Once a West Lafayette warrant has been served it is the responsibility of the dispatch center to remove the served arrest warrant from NCIC/IDACS.

607.5.1 WANTED PERSON LOCATED

Once a person who is wanted on warrant is located the officer must verify the identification of the person and then check to assure that it matches with the information on the warrant.

- a) Once a match is made the warrant will be read to the person in its entirety aloud in the person's presence. The warrant will be dated and signed by the officer that read the warrant.
- b) The person will then be processed as per departmental policy.
- c) The person will then be transported to TCJ and incarcerated.

The original warrant will be taken to TCJ with the suspect and turned over to the TCJ intake staff.

607.5.2 REPORTING REQUIREMENTS

If the warrant served was a West Lafayette warrant a supplement will be added to the original case report. A copy of the warrant will be placed with the case.

- a) If no original case report is on file (i.e.: Check Deception) a new case will be initiated.

If the warrant served was a warrant from another agency a new case will be initiated for documentation.

607.5.3 USING ARREST WARRANTS AS SEARCH WARRANTS

A. Reasonable Belief must be present:

1. Officers must have reasonable belief that the person listed on the warrant is present at the residence. Reasonable belief may be established by the use of independent witness's statements, officer's observations, or vehicle in driveway along with other articulable facts.

B. The arrest warrant doubles as a search warrant.

1. A valid arrest warrant for a person is the same as a search warrant for the body of that same person.
2. The address to be searched must be the same address listed on the warrant and officer must have established reasonable belief that the person is present and refusing to answer the door or come to the door.
3. Officers may only search for the body of the wanted, and may only search areas that the wanted person could reasonably hide or be located.

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4. The West Lafayette Police Department will only use this procedure, minus exigent circumstances or hot pursuit, for VIOLENT MISDEMEANOR WARRANTS, O.W.I. AND ANY FELONY WARRANTS.

The West Lafayette Police Department will not force a door open to effect such a search unless the officers have observed the subject in the residence themselves or if hot pursuit or exigent circumstances are present.

607.6 WARRANT PREPARATION

An officer who prepares a warrant should ensure the documentation in support of the warrant contains as applicable:

- (a) Probable cause to support the search or arrest, including relevant dates and times to demonstrate timeliness and facts to support any request for nighttime or no-knock warrant execution.
- (b) A clear explanation of the affiant's training, experience and relevant education.
- (c) Adequately supported opinions, when relevant, that are not left to unsubstantiated conclusions.
- (d) A nexus between the place to be searched and the persons or items central to the investigation. The facts supporting this nexus should be clear and current. For example, the affidavit shall explain why there is probable cause to believe that a particular person is currently residing at a particular location or that the items sought are present at a particular location.
- (e) Full disclosure of known or suspected residents at the involved location and any indication of separate living spaces at the involved location. For example, it should be disclosed that several people may be renting bedrooms at a single location, even if the exact location of the rooms is not known.
- (f) A specific description of the location to be searched, including photographs of the location, if reasonably available.
- (g) A sufficient description of the items to be seized.
- (h) Full disclosure of any known exculpatory information relevant to the warrant application (refer to the *Brady* Information Policy).

607.7 HIGH-RISK WARRANT SERVICE

The Chief of Police or the authorized designee shall coordinate the service of warrants that are categorized as high risk and shall have sole authority in determining the manner in which the warrant will be served, including the number of officers deployed.

The member responsible for directing the service should ensure the following as applicable:

- (a) When practicable and when doing so does not cause unreasonable risk, video or photographic documentation is made of the condition of the location prior to execution of a search warrant. The images should include the surrounding area and persons present.

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- (b) The warrant service is audio- and video-recorded when practicable and reasonable to do so.
- (c) Evidence is handled and collected only by those members who are designated to do so. All other members involved in the service of the warrant should alert one of the designated members to the presence of potential evidence and not touch or disturb the items.
- (d) Reasonable efforts are made during the search to maintain or restore the condition of the location.
- (e) Persons who are detained as part of the warrant service are handled appropriately under the circumstances.
- (f) Reasonable care provisions are made for children and dependent adults.
- (g) A copy of the search warrant is left at the location.
- (h) The condition of the property is documented with video recording or photographs after the search.

607.8 DETENTIONS DURING WARRANT SERVICE

Officers must be sensitive to the safety risks of all persons involved with the service of a warrant. Depending on circumstances and facts present, it may be appropriate to control movements of any or all persons present at a warrant service, including those who may not be the subject of a warrant or suspected in the case. However, officers must be mindful that only reasonable force may be used and weapons should be displayed no longer than the officer reasonably believes is necessary (see the Use of Force Policy).

As soon as it can be determined that an individual is not subject to the scope of a warrant and that no further reasonable suspicion or safety concerns exist to justify further detention, the person should be promptly released.

Officers should, when and to the extent reasonable, accommodate the privacy and personal needs of people who have been detained.

607.9 ACTIONS AFTER WARRANT SERVICE

The supervisor shall ensure that all affidavits, warrants, receipts and returns, regardless of any associated cases, are filed with the issuing judge or magistrate as soon as reasonably possible, but in any event no later than the next working day.

607.10 OTHER AGENCIES AND CROSS-JURISDICTIONAL WARRANTS

The Deputy Chief of Police will ensure that cooperative efforts with other agencies in the service of warrants conform to existing mutual aid agreements or other memorandums of understanding and will work cooperatively to mitigate risks including, but not limited to, the following:

- Identity of team members
- Roles and responsibilities
- Familiarity with equipment

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- Rules of engagement
- Asset forfeiture procedures

Any outside agency requesting assistance in the service of a warrant within this jurisdiction should be referred to the on duty Shift Commander. The on duty Shift Commander should review and confirm the warrant, including the warrant location, and should discuss the service with the appropriate supervisor from the other agency for deconfliction and threat assessment purposes. If the request is for assistance in the service of a High Risk warrant, the Deputy Chief of Police should be notified and will ensure that members of the West Lafayette Police Department are utilized appropriately. Otherwise, the actual service of the warrant will remain the responsibility of the agency requesting assistance.

If the Deputy Chief of Police is unavailable, the Captain of Patrol should assume this role.

If officers intend to serve a warrant outside West Lafayette Police Department jurisdiction, Shift Command should provide reasonable advance notice to the applicable agency, request assistance as needed and work cooperatively on operational planning and the mitigation of risks detailed in this policy.

Officers will remain subject to the policies of the West Lafayette Police Department when assisting outside agencies or serving a warrant outside West Lafayette Police Department jurisdiction.

607.11 MEDIA ACCESS

No advance information regarding warrant service operations shall be released without the approval of the Chief of Police. Any media inquiries or press release after the fact shall be handled in accordance with the Media Relations Policy.

607.12 TRAINING

The Training Officer should ensure officers receive periodic training on this policy and associated topics, such as legal issues, warrant preparation, warrant service and reporting requirements.

Operations Planning and Deconfliction

608.1 PURPOSE AND SCOPE

This policy provides guidelines for planning, deconfliction and execution of high-risk operations. Additional guidance on planning and serving high-risk warrants is provided in the Policy.

608.1.1 DEFINITIONS

Definitions related to this policy include:

High-risk operations - Operations, including service of search and arrest warrants and sting operations, that are likely to present higher risks than are commonly faced by officers on a daily basis, including nature of charge, suspected fortified locations, reasonable risk of violence or confrontation with multiple persons, or reason to suspect that persons anticipate the operation.

608.2 POLICY

It is the policy of the West Lafayette Police Department to properly plan and carry out high-risk operations, including participation in deconfliction with local agencies, in order to provide coordination, enhance the safety of members and the public, decrease the risk of compromising investigations and prevent duplicating efforts.

608.3 SPECIAL RESPONSE TEAM ADMINISTRATIVE COMMANDER

The Chief of Police will designate a member of this department to be the SRT Administrative Commander.

The SRT Administrative Commander will develop and maintain a risk assessment form to assess, plan and coordinate operations. This form should provide a process to identify high-risk operations.

The SRT Administrative Commander will review risk assessment forms with involved supervisors to determine whether a particular incident qualifies as a high-risk operation. The SRT Administrative Commander will also have the responsibility for coordinating operations that are categorized as high risk.

608.4 RISK ASSESSMENT

608.4.1 RISK ASSESSMENT FORM PREPARATION

Officers assigned as operational leads for any operation that may qualify as a high-risk operation shall complete a risk assessment form.

When preparing the form, the officer should query all relevant and reasonably available intelligence resources for information about the subject of investigation, others who may be present and the involved location. These sources may include regional intelligence and criminal justice databases, target deconfliction systems, firearm records, commercial databases and property records.

The officer should gather available information that includes, but is not limited to:

- (a) Photographs, including aerial photographs (Google Earth), if available, of the involved location, neighboring yards and obstacles.

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- (b) Maps of the location.
- (c) Diagrams of any property and the interior of any buildings that are involved (Blueprints).
- (d) Historical information about the subject of investigation (e.g., history of weapon possession or use, known mental illness, known drug use, threats against police, gang affiliation, criminal history).
- (e) Historical information about others who may be present at the location (e.g., other criminals, innocent third parties, dependent adults, children, animals).
- (f) Obstacles associated with the location (e.g., fortification, booby traps, reinforced doors/windows, surveillance measures, number and type of buildings, geographic and perimeter barriers, the number and types of weapons likely to be present, information that suggests the presence of explosives, chemicals or other hazardous materials, the potential for multiple dwellings or living spaces, availability of keys/door combinations).
- (g) Other environmental factors (e.g., nearby venues such as schools and day care centers, proximity of adjacent homes or other occupied buildings, anticipated pedestrian and vehicle traffic at the time of service).
- (h) Other available options that may minimize the risk to officers and others (e.g., making an off-site arrest or detention of the subject of investigation).

See attachment: [WLPD THREAT ASSESSMENT \(2019\).pdf](#)

608.4.2 RISK ASSESSMENT REVIEW

Officers will present the risk assessment form and other relevant documents (such as copies of search warrants and affidavits and arrest warrants) to their supervisor and the SRT Administrative Commander if deemed high risk.

The supervisor and SRT Administrative Commander shall confer and determine the level of risk. Supervisors should take reasonable actions if there is a change in circumstances that elevates the risks associated with the operation.

608.4.3 HIGH-RISK OPERATIONS

If the SRT Administrative Commander, after consultation with the involved supervisor, determines that the operation is high risk, the SRT Administrative Commander:

- (a) Determine what resources will be needed at the location, and contact and/or place on standby any of the following appropriate and available resources after authorized by the Chief of Police or designee:
 - (a) Special Response Team (SRT)
 - (b) Additional personnel
 - (c) Outside agency assistance
 - (d) Special equipment
 - (e) Medical personnel

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- (f) Persons trained in negotiation
- (g) Additional surveillance
- (h) Canines
- (i) Evidence Technicians
- (b) Contact the appropriate department members or other agencies as warranted to begin preparation.
- (c) Ensure that all legal documents such as search warrants are complete and have any modifications reasonably necessary to support the operation.
- (d) Coordinate the actual operation.

608.5 DECONFLICTION

Deconfliction is designed to identify persons and locations associated with investigations or law enforcement operations and alert participating agencies when others are planning or conducting operations in close proximity or time or are investigating the same individuals, groups or locations.

The Supervisor of the operations lead shall ensure the subject of investigation is not considered under investigation or a person of interest through another agency. If any conflict is discovered, the agencies will resolve the potential conflict before proceeding.

608.6 OPERATIONS PLAN

The SRT Administrative Commander should ensure that a written operations plan is developed for all high-risk operations. Plans should also be considered for other operations that would benefit from having a formal plan.

The plan should address such issues as:

- (a) Operation goals, objectives and strategies.
- (b) Operation location and people:
 - 1. The subject of investigation (e.g., history of weapon possession/use, known mental illness issues, known drug use, threats against police, gang affiliation, criminal history)
 - 2. The location (e.g., fortification, booby traps, reinforced doors/windows, surveillance cameras and/or lookouts, number/type of buildings, geographic and perimeter barriers, the number and types of weapons likely to be present, information that suggests the presence of explosives, chemicals or other hazardous materials, the potential for multiple dwellings or living spaces, availability of keys/door combinations), including aerial photos, if available, and maps of neighboring yards and obstacles, diagrams and other visual aids
 - 3. Other environmental factors (e.g., nearby venues such as schools and day care centers, proximity of adjacent homes or other occupied buildings, anticipated pedestrian and vehicle traffic at the time of service)

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4. Identification of other people who may be present in or around the operation, such as other criminal suspects, innocent third parties and children
- (c) Information from the risk assessment form by attaching a completed copy in the operational plan.
 1. The volume or complexity of the information may indicate that the plan includes a synopsis of the information contained on the risk assessment form to ensure clarity and highlighting of critical information.
- (d) Participants and their roles.
 1. An adequate number of uniformed officers should be included in the operation team to provide reasonable notice of a legitimate law enforcement operation.
 2. How all participants will be identified as law enforcement.
- (e) Whether deconfliction are current and all involved individuals, groups and locations have been deconflicted to the extent reasonably practicable.
- (f) Identification of all communications channels and call-signs.
- (g) Use of force issues.
- (h) Contingencies for handling medical emergencies (e.g., services available at the location, closest hospital, closest trauma center).
- (i) Plans for detaining people who are not under arrest.
- (j) Contingencies for handling children, dependent adults, animals and other people who might be at the location in accordance with the Child Abuse, Adult Abuse, Child and Dependent Adult Safety and Animal Control policies.
- (k) Communications plan
- (l) Responsibilities for writing, collecting, reviewing and approving reports.

[See attachment: SRT Operations Brief.pdf](#)

608.6.1 OPERATIONS PLAN RETENTION

Since the operations plan contains intelligence information and descriptions of law enforcement tactics, it shall not be filed with the report. The operations plan shall be stored separately and retained in accordance with the established records retention schedule.

608.7 OPERATIONS BRIEFING

A briefing should be held prior to the commencement of any high-risk operation to allow all participants to understand the operation, see and identify each other, identify roles and responsibilities and ask questions or seek clarification as needed. Anyone who is not present at the briefing should not respond to the operation location without specific supervisory approval.

- (a) The briefing should include a verbal review of plan elements, using visual aids, to enhance the participants' understanding of the operations plan.
- (b) All participants should be provided a copy of the operations plan and search warrant, if applicable. Participating personnel should be directed to read the search warrant and

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initial a copy that is retained with the operation plan. Any items to be seized should be identified at the briefing.

- (c) The SRT Administrative Commander shall ensure that all participants are visually identifiable as law enforcement officers.
 - (a) Exceptions may be made by the SRT Administrative Commander for officers who are conducting surveillance or working under cover. However, those members exempt from visual identification should be able to transition to a visible law enforcement indicator at the time of enforcement actions, such as entries or arrests, if necessary.
- (d) The briefing should include details of the communications plan.
 - (a) It is the responsibility of the SRT Administrative Commander to ensure that the Dispatch Center is notified of the time and location of the operation.
 - (b) The briefing should include a communications check to ensure that all participants are able to communicate with the available equipment on the designated radio channel.

608.8 SRT PARTICIPATION

If the SRT Administrative Commander determines that SRT participation is appropriate, the SRT Administrative Commander and the SRT Team Leader shall work together to develop a written plan. The SRT Team Leader shall assume operational control until all persons at the scene are appropriately detained and it is safe to begin a search. When this occurs, SRT Team Leader shall transfer control of the scene to the handling supervisor, whether Patrol or CID. This transfer should be communicated to the officers present.

608.9 MEDIA ACCESS

No advance information regarding planned operations shall be released without the approval of the Chief of Police. Any media inquiries or press release after the fact shall be handled in accordance with the Media Relations Policy.

608.10 OPERATIONS DEBRIEFING

High-risk operations should be debriefed as soon as reasonably practicable. The debriefing should include as many participants as possible. This debrief may be separate from any SRT debriefing.

608.11 AFTER-ACTION REPORTS

After-action reports should be prepared for any unusual extraordinary operations, as determined by the Chief of Police. This report should include:

- a. The date, time and description of the event.
- b. The actions taken and outcomes (e.g., injuries, property damage, arrests, costs).
- c. Any identified problems.
- d. Significant events.

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Operations Planning and Deconfliction

e. Recommendations for improvement. Opportunities for training should be documented in a generic manner, without identifying individuals or specific incidents, facts or circumstances.

608.12 TRAINING

The Training Officer should ensure officers and SRT team members who participate in operations subject to this policy receive periodic training including, but not limited to, topics such as legal issues, deconfliction practices, operations planning concepts and reporting requirements.

Digital Photography

609.1 DIGITAL PHOTOGRAPHY

609.1.1 PURPOSE

This order establishes department guidelines for using digital photography.

609.1.2 POLICY

This department recognizes the use and value of digital photography in recording and documenting items to be used for investigatory purposes. Digital photography can be used as part of the overall method to document cases.

609.2 THE ORDER

A. Digital photography should be used as the primary method to record crime scenes and evidence.

1. When documenting major cases including but not limited to felony batteries, personal injury crashes, death scenes, search warrants, etc., digital photography should be used along with digital video recording and other available photographic equipment.

B. When digital photography is used the following procedure should be used unless circumstances dictate otherwise.

1. Officers should verify that the date and time of the camera is correct. If the date and time is incorrect the officer should make the correction according to the operation instructions for the camera.
2. Officers shall verify that sufficient battery power exists or replace the batteries prior to the cameras use.
3. Prior to taking photos on scene, officers should verify that the SD card in the camera contains no images and should then format the card according to the camera's instructions.
4. No photographs shall be deleted from the camera. All images, regardless of quality, must remain present.
5. Officers should submit the digital photos into evidence as soon as practical.

Collection and Preservation of Evidence Procedure

610.1 PURPOSE AND SCOPE

The purpose of this procedure is to provide members guidance in identifying, collecting, preserving, and processing evidence found at a crime scene or traffic accident investigation and transferred to an accredited crime laboratory, as applicable.

610.2 COLLECTION AND PRESERVATION

Any members observing evidence in the field should make arrangements for the proper identification, collection, preservation, and processing of that evidence, to include the documented transfer of custody. Any member that lacks the applicable training should notify a properly trained member or supervisor, as appropriate, to ensure the evidence is properly collected, preserved, and processed.

The Department should have a qualified trained member available on a 24-hour basis to process evidence found at a crime scene or traffic accident. When identifying, collecting, preserving, or processing evidence in the field, members should:

- (a) Secure and protect the scene while remaining observant. Limit scene access to only those directly involved in the processing.
- (b) Use personal protective equipment (PPE) to avoid contamination of members and minimize scene contamination. Evidence collection equipment should be sterile to maintain the integrity of the evidence and reduce cross-contamination.
- (c) Coordinate scene photographs, video recording, sketches, measurements, and notes of evidence in its found location before collection. Select a systematic search pattern to identify valuable and/or fragile evidence based on the size and location of the scene. Choose a progression of processing and collection methods so that initial techniques do not compromise subsequent methods. Collection methods should preserve the condition of the evidence, prevent the introduction of foreign materials, and ensure as complete a sample as practicable.
- (d) Prioritize the timely and methodical preservation and collection of evidence to prevent loss, destruction, or contamination due to weather conditions and other circumstances that may alter or contaminate the evidence. Concentrate on the most transient evidence first and work toward the least transient evidence.
- (e) Collection, preservation, and packaging of evidence should be conducted in a consistent manner.

Members shall process and package property and evidence as outlined in the Property and Evidence Section Policy and as required by the crime laboratory.

610.3 BIOHAZARDOUS MATERIALS

Potentially biohazardous materials like hypodermic syringes, blood-stained clothing, or evidence relating to sexual assault investigations require special care and handling (see the Sexual Assault

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Collection and Preservation of Evidence Procedure

Investigations Policy). Members should refer to the Property and Evidence Section Policy for additional guidance. Members should follow the appropriate blood-borne pathogen precautions, including but not limited to the following:

- Use of sterile gloves
- Sharps containers for syringes
- Potential biohazards shall have a biohazard warning label placed in a prominent location on the exterior evidence container.

Members shall submit urine samples in sealed containers within a plastic bag with a biohazard warning label attached to the outside packaging. Members should affix biohazard warning labels on bags or containers, including contaminated evidence with pathogens or other contagious viruses or bacteria.

When processing non-dry items with biological material present, members should:

- Place clothing and other evidence containing dried blood in separate paper bags and place biohazard warning labels on the outside packaging.
- Place samples containing moist or wet stains of blood or other biological fluid in separate leak-proof containers at the scene and label with a biohazard warning on the outside packaging.
- Transport the specimens to a safe location as soon as practicable, removing the items from the bags and air-drying them over paper sheets. Once the specimens are completely dry, place each item in a separate bag and label with a biohazard warning.
- Retain the paper bags and sheets and submit all items with the evidence.

610.4 SUBMITTING EVIDENCE TO LABORATORY FOR ANALYSIS

The Property/Evidence Manager shall be responsible for the submission of evidence to the crime laboratory for analysis as outlined in the Property and Evidence Section Policy.

Chapter 7 - Equipment

Department-Owned and Personal Property

700.1 PURPOSE AND SCOPE

This policy addresses the care of department-owned property and the role of the Department when personal property or department-owned property is damaged or lost.

700.2 POLICY

Members of the West Lafayette Police Department shall properly care for department property assigned or entrusted to them. Department-owned property that becomes damaged shall be promptly reported to the officers supervisor.

700.3 DEPARTMENT-ISSUED PROPERTY

All property and equipment issued by the Department shall be documented in the appropriate property sheet or equipment log. Receipt of issued items shall be acknowledged by the receiving member's signature. Upon separation from the Department, all issued property and equipment shall be returned. Documentation of the return shall be acknowledged by the signature of a supervisor.

700.3.1 CARE OF PROPERTY

Members shall be responsible for the safekeeping, serviceable condition, proper care, proper use and replacement of department property that has been assigned or entrusted to them.

Intentional or negligent abuse or misuse of department property may lead to discipline including, but not limited to, the cost of repair or replacement.

- (a) Members shall promptly report, through their chain of command, any loss, damage to, or unserviceable condition of any department-issued property or equipment.
 - 1. A supervisor receiving such a report shall conduct an investigation and direct a memo to the appropriate Commander, which shall include the result of the investigation and whether misconduct or negligence caused the loss, damage or unserviceable condition.
 - 2. A review by command staff should determine whether additional action is appropriate.
- (b) The use of damaged or unserviceable property should be discontinued as soon as practicable, and the item replaced with a comparable item as soon as available and following notice to a supervisor.
- (c) department use should be limited to official purposes and in the capacity for which it was designed.
- (d) Department property shall not be thrown away, sold, traded, donated, destroyed or otherwise disposed of without proper authority.

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Department-Owned and Personal Property

700.3.2 PROPERTY COORDINATOR RESPONSIBILITIES

The Chief of Police or the authorized designee should appoint a member who is responsible for developing procedures that include:

- (a) Developing and maintaining appropriate forms, checklists and logs to document property issuance, returns, inspections and inventories.
- (b) Conducting department property and equipment including inspections and inventories at least annually.
- (c) Maintaining accurate inventory and control records.

700.3.3 LOST OR DAMAGED PROPERTY

When Department equipment (including individually issued or assigned equipment) is lost or damaged, a case report shall be completed by the individual using that equipment, and shall then be submitted to their Division Commander through their Shift Commander.

700.4 PERSONAL PROPERTY

Carrying and/or using personal property or equipment on-duty is done so at the members own risk.

The Department will not replace or repair costly items (e.g., jewelry, expensive watches, exotic equipment) that are not reasonably required as part of work.

700.5 DAMAGE TO PROPERTY OF ANOTHER PERSON

Anyone who intentionally or unintentionally damages or causes to be damaged the real or personal property of another person while performing any law enforcement function shall promptly report the damage through their chain of command.

Uniform Standards

701.1 UNIFORM STANDARDS

701.1.1 PURPOSE

The purpose of this policy is to ensure uniformity in appearance of uniformed personnel, as well as a professional appearance of all non-uniformed personnel.

701.1.2 POLICY

In order to portray a positive, competent image, all sworn and non-sworn personnel shall be required to maintain their uniform/duty attire, as well as any other additional equipment they are issued in a neat, clean and functional order.

Note: The current approved uniform is manufactured by Blauer or Elbeco. To assist officers with the proper wearing of the uniform and duty gear, please see attached guide. [See attachment: WLPD Uniform Guide.xls](#)

701.2 THE ORDER

Officers and uniformed civilian personnel shall never appear in partial uniform either on or off duty. If the Officer or uniformed civilian personnel appears in public in full uniform, he/she shall be considered as ON DUTY and subject to all Policies and Rules of Conduct of the Department.

701.3 UNIFORMED PERSONNEL

701.3.1 FORMAL CLASS A UNIFORM (DRESS COAT, SHIRT AND TIE)

Ranking officers (Sergeants and above) shall be issued a Class A formal uniform which consists of dress pants, dress coat, white or navy shirt with navy tie. The Chief will choose the shirt worn based on the formal occasion. Officers below the rank of Sergeant may choose to purchase the Class A formal uniform if they would like. The Class A formal uniform shall consist of the following:

One Flying Cross 100% Polyester single-breasted 4-pocket dress coat. It will be adorned with gold or silver "P" Buttons based on rank. The officer will wear their name tag on the right breast pocket, approximately ¼" below the top edge of the pocket, centered so that it is evenly spaced between the right and left edges of the pocket. Officers will wear large rank insignia on the epaulet, positioned evenly over the outside sewn portion of the epaulet. Non-ranking officers should wear a large WLPD, silver in color, positioned in the same manner.

One pair of Flying Cross 100% Polyester Pants, one Velcro navy blue tie, one white long sleeve shirt adorned with gold or silver p buttons. Officers shall wear a black trouser belt with black Clarino style shoes.

701.3.2 CLASS "A" UNIFORMS

Officers may wear either navy blue polyester or wool blend uniform shirts. Navy blue polyester or wool blend style pants without cargo (BDU) style pockets shall be worn with class "A" uniforms. Any class "A" uniform shirt will have the following:

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(1) Collar Pins: Patrol Officers "WLPD" pins to be worn perpendicular and ½" to the leading edge (front edge). It shall be centered halfway between the top and the bottom edge of the collar. The collar pins are made by Blackinton and are 3/8 inch polished silver. Staff Officers (rank of Sergeant and above) shall wear their respective rank identification pins as described above.

(2) All class "A" uniforms shall have all "P" buttons in place of the standard black buttons. Non ranking officers "P" buttons shall be silver in color while ranking officers "P" buttons shall be gold in color.

(3) Approved meritorious and achievement pins shall be worn above the right shirt pocket.

(4) Name Tag: Name tag shall be worn on the right shirt pocket tab just above the shirt button. Name tag is made by Blackinton and measures ½ inch wide by 2 ¼ inch in length. The pin shall be polished, clutch back style and have black lettering. Officers shall wear polished silver while staff officers shall wear polished gold.

(5) Breast Badge: Breast Badge shall be worn just above the left shirt pocket.

(6) Shoulder Patch: Shoulder patch shall be worn on both sleeves ½" down from top of sleeve seam centered on sleeve crease.

(8) Duty Belt: Officers shall only wear plain black leather Clarino (Hi-Gloss) duty belt with standard equipment. Nylon duty belts shall not be worn with class "A" uniforms.

(9) Neck Tie: Officers shall wear a navy blue clip-on or Velcro break away neck tie when wearing a full class "A" long sleeve uniform shirt. The neck tie will not be worn with a short sleeve class "A" uniform shirt. Solid tie bar shall be worn with neck tie.

Class "A" Option 2 Uniform-Long Sleeve

1. The class A2 uniform shall consist of all the above minus the neck tie. Officers will wear the shirt open collared with a black t-shirt or a black mock turtle neck exposed.

Class "A" Option 3 Uniform- Summer Shirt

1. The class A3 uniform shall consist of the prescribed short sleeve uniform shirt (see guide) with all the above. The shirt shall be worn open collar with a black t-shirt. The summer Class A shirt shall only be worn during the approved months.

Officers shall not be required to wear their assigned body camera while wearing any of the above class A uniforms. Officers are strongly encouraged to wear one of the four Class A dress when attending court or any formal functions.

701.3.3 CLASS "B" UNIFORMS-REGULAR DUTY WEAR

Officers may wear either long or short sleeve navy blue polyester uniform shirts with black buttons or polyester wool blend with black buttons. Navy blue polyester or wool blend style pants with or without cargo pockets are to be worn. Officers may also wear the Blauer Flexheat Detail pants

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as an option during the winter months. Officers are not allowed to wear a mix of polyester shirt or pants with a cotton blend or Wool blend shirt or pants.

(1) Officers (rank of Sergeant and above) will place the rank designation pins parallel and ½" to the leading edge (front edge) of the collar. It shall be centered halfway between the top and bottom edge of the collar.

(2) Shoulder Patch: The Shoulder Patch shall be worn on both sleeves ½" down from the top of sleeve seam, centered on sleeve crease.

(3) Breast Badge: The Breast Badge shall be located directly above the left pocket.

(4) Name Tag: The Officer Name Tag shall be worn on the right pocket tab, ¼ inch below the top of the pocket.

(6) A black t-shirt shall be worn under the short sleeve uniform shirt. Officers may wear either a black mock turtle neck or a black t-shirt under their long sleeve uniform shirt. The collar of the t-shirt MUST look crisp and clean in order to maintain a professional uniform look.

(7) Duty Belt: Officers may wear either a plain leather Clarino or Bianchi Accumold nylon duty belt with the standard class B uniform.

(8) Neck Tie: Neck ties will not be worn with class "B" uniforms.

(9) Approved meritorious and achievement pins may be worn above the right shirt pocket.

701.3.4 EXTERNAL VEST CARRIER

The approved external vest carriers are JG Uniforms custom vest carrier or the Blauer Armorskin in either polyester or wool blend, navy blue in color. Both vests may be worn with or without load bearing capabilities.

(1) An actual breast badge (no patch badge) and an actual name tag (engraved metal) shall be worn on the external vest carrier.

(2) The above named vest carriers with Molle may be used for load bearing purposes. Officers shall be allowed to carry the following on said vest: Zero9 Kydex gear or Ethos Survival gear consisting of two single or stacked handcuff pouches, one double or triple magazine pouch, the BodyWorn remote, small flashlight, OC and radio. No other items shall be attached to the vest.

(3) The external vest carrier shall be laundered in a reasonable time when appearing soiled or dirty to maintain a clean, pressed, and professional uniform appearance.

(4) Officers should wear a standard uniform shirt beneath the vest.

(5) Officers (rank of Sergeant and above) will place the rank designation pins parallel and ½" to the leading edge (front edge) of the collar. It shall be centered halfway between the top and bottom edge of the collar.

(6) Shoulder Patch: The Shoulder Patch shall be worn on both sleeves ½" down from the top of sleeve seam, centered on sleeve crease.

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(8) A black t-shirt shall be worn under the short sleeve uniform shirt. Officers may wear either a black mock turtle neck or a black t-shirt under their long sleeve uniform shirt. The collar of the t-shirt MUST look crisp and clean in order to maintain a professional uniform look.

(9) Duty Belt: Officers may wear either a plain leather Clarino or Bianchi Accumold nylon duty belt with the standard class B uniform. However, officers wearing the load bearing Molle system will only be allowed to wear Bianchi Accumold nylon duty belts.

(10) Approved meritorious and achievement pins may be worn above the right vest pocket.

701.3.5 CLASS "C" UNIFORMS

SRT/SWAT Uniforms are considered class "C" uniforms and may be worn only during such callouts or otherwise approved by the Chief of Police.

701.3.6 MOTORCYCLE OFFICERS

1. Helmet: The department furnished helmet will be worn and the chin strap must be fastened at all times the motorcycle is in motion.

2. Uniform Shirt: Motorcycle officers will wear department issued uniform shirts or vests.

3. Motorcycle Pants: Motorcycle Officers will wear department approved uniform pants or department issued motorcycle pants.

4. Jacket: The department issued motorcycle jacket may be worn while on duty.

5. Gun Belt: The web style duty belt is worn by officers in the motorcycle unit.

6. Gloves: Officers shall choose gloves that are black in color and of a type approved by their immediate supervisor.

7. Boots: Motorcycle officers shall wear boots of a type approved by the Chief of Police.

8. Uniform exceptions will be made for the purpose of training.

701.4 MISCELLANEOUS

701.4.1 FOOTWEAR

Only black smooth leather, round toe with a polish-able style shoe may be worn. Tennis shoes, western boots, jogging type shoes are not permitted.

701.4.2 HEADWEAR

- Black straw campaign hat with badge and braid is to be worn 1 ½" above the eyebrow canted to the front. Sock hats are permitted only during inclement weather and are to be worn only with class "B" uniforms. If officers cannot or choose not to wear the issued sock hat, they shall only wear a plain black sock hat with hidden logos and nothing else affixed to it..
- Sock hats will not be worn with class "A" uniforms.
- Baseball style hats are not permitted.

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- Black helmet with face shield (limited use).

701.4.3 OUTERWEAR

Officers are authorized to wear the current issued Blauer jackets, the Force/North Face model HS3342 jacket, or the approved Proper jacket.

701.4.4 DUTY BELTS

Duty belt and accessories holders are to be of black Clarino (Hi-Gloss) or Bianchi Accumold and shall not be interchanged. Officers may wear open top Bianchi or FastMag magazine holders. Officers are required to have a minimum of two magazines and no more than three magazines affixed to their duty belt.

701.4.5 MOURNING BANDS

Black mourning bands shall be worn on the badge only in the following circumstances:

1. Upon the line of duty death of an active law enforcement officer at the WLPD. The mourning band should be worn for a period of 30 days from the date of death.
2. Upon the line of duty death of a law enforcement officer from Indiana. The mourning band will be worn from the date of death and removed at the conclusion of the day of burial.
3. National Peace Officers Memorial Day (May 15th).
4. At the direction of the Chief of police or his designee, when special circumstances dictate that a department display of official mourning is appropriate.

Mourning Band Placement

1. The WLPD mourning band will be a solid black band that fits tightly around the badge.
2. The mourning band should be worn straight across the center of the State Seal of the badge.
3. The width of the mourning band should not exceed 3/4 inch. Mourning bands with the thin blue line should not be worn.

701.5 NON UNIFORMED PERSONNEL

Investigators/Staff/School Attendance: While this section mainly addresses Investigators, this section shall also apply to Officers when on duty out of uniform, and officers attending training out of uniform or on duty out of uniform.

- (1) Investigators will be required to maintain all equipment issued both as an Investigator, as well as that equipment issued to them as a uniformed Patrol Officer.
- (2) Each Investigator will be required to maintain a duty uniform of the season, complete with head gear, in the event that it would be necessary to be in uniform for duty.

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(3) Each Investigator will be required to utilize his/her duty assigned weapon as an Investigator and/or a weapon approved for use by the Chief of Police, first being duly qualified/certified to carry that particular weapon.

(4) Each Investigator, while on duty, will be required to wear clothing that is acceptable and in good taste, conservative in nature and manner.

a. Routine attire: Daily attire shall consist of business casual wear.

b. Court details/Special events or assignments: Investigators will be required to wear business type suits, sports jacket and slacks, dress type shirt with tie, acceptable foot wear-dress shoes, foul weather outer coat suitable to a conservative appearance.

c. Call-in-wear: Investigators that are on call should respond in their daily attire of business casual described in 4a. Technicians should respond in Khaki pants and the approved Navy Proper Polo shirt in either long or short sleeve with embroidered badge. Jeans are not permitted.

(5) Each Investigator will be required to wear a belt attached badge clip-on type shield or a neck chain with badge.

(6) Each Investigator, as part of their respective uniform, will be in possession of hand cuffs, either available within their respective assigned vehicle or on their person.

(7) Each investigator will maintain all other assigned equipment and utilize it accordingly (portable radio, OC spray, etc...).

701.6 CIVILIAN PERSONNEL

All civilian, non-uniformed personnel, while on duty shall be required to wear clothing that is acceptable and in good taste, conservative in nature and manner.

701.6.1 FEMALE EMPLOYEE

Pants

a.. Casual dress slacks

1. Dispatchers may wear jeans that are in good repair with no holes or threads showing. Other civilian staff may wear jeans only when prior approval has been received from the Chief of Police.

b. Capri's may be worn in the summer

Tops/Blouses

a. Casual dress shirt (Polo) or blouse (must cover the shoulders)

b. Button up casual shirts long or short sleeve

c. Sweatshirts with no writing or slogans

d. Sweater cotton/knit blend

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- e. Turtleneck or mock turtleneck

Foot wear

- a. Casual dress shoe/boot

701.6.2 MALE EMPLOYEE

Pants

- a.. Casual dress pants (Dockers/cargo pants)

1. Dispatchers may wear jeans that are in good repair with no holes or threads showing. Other civilian staff may wear jeans only when prior approval has been received from the Chief of Police

Tops

- a. Business casual.
- b. Button up casual shirt long or short sleeve (tie optional)
- c. Sweatshirts: Only department issued sweatshirts with the WLPD logo on it.
- d. Sweater cotton/knit blend
- e. Turtleneck or mock turtleneck

Foot wear

- a. Casual dress shoe/boot

All clothing items worn to work must be neat and clean in appearance and in good repair.

Personal Communication Devices

702.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of mobile telephones and communication devices, whether issued or funded by the Department or personally owned, while on-duty or when used for authorized work-related purposes.

This policy generally refers to all such devices as Personal Communication Devices (PCDs) but is intended to include all mobile telephones, personal digital assistants (PDAs), wireless capable tablets and similar wireless two-way communications and/or portable Internet access devices. PCD use includes, but is not limited to, placing and receiving calls, text messaging, blogging and microblogging, emailing, using video or camera features, playing games and accessing sites or services on the Internet.

702.2 POLICY

The West Lafayette Police Department allows members to utilize department-issued or funded PCDs and to possess personally owned PCDs in the workplace, subject to certain limitations. Any PCD used while on-duty, or used off-duty in any manner reasonably related to the business of the Department, will be subject to monitoring and inspection consistent with the standards set forth in this policy.

The inappropriate use of a PCD while on-duty may impair officer safety. Additionally, members are advised and cautioned that the use of a personally owned PCD either on-duty or after duty hours for business-related purposes may subject the member and the member's PCD records to civil or criminal discovery or disclosure under the Indiana Access to Public Records Act.

Members who have questions regarding the application of this policy or the guidelines contained herein are encouraged to seek clarification from supervisory staff.

702.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to any communication accessed, transmitted, received or reviewed on any PCD issued or funded by the Department and shall have no expectation of privacy in their location should the device be equipped with location detection capabilities (see the Information Technology Use Policy for additional guidance).

702.4 DEPARTMENT-ISSUED PCD

Depending on a member's assignment and the needs of the position, the Department may, at its discretion, issue a PCD for the member's use to facilitate on-duty performance. Such devices and the associated telephone number, if any, shall remain the sole property of the Department and shall be subject to inspection or monitoring (including all related records and content) at any time without notice and without cause.

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702.5 PERSONALLY OWNED PCD

Members may carry a personally owned PCD while on-duty, subject to the following conditions and limitations:

- (a) The Department accepts no responsibility for loss of or damage to a personally owned PCD.
- (b) The PCD and any associated services shall be purchased, used and maintained solely at the member's expense.
- (c) Use of a personally owned PCD while at work or for work-related business constitutes consent for the Department to access the PCD to inspect and copy data to meet the needs of the Department, which may include litigation, Indiana Access to Public Records Act retention and release obligations and internal investigations.

702.6 USE OF PCD

The following protocols shall apply to all PCDs that are carried while on-duty or used to conduct department business:

- (a) Members may use a PCD to communicate with other personnel in situations where the use of radio communications is either impracticable or not feasible. PCDs should not be used as a substitute for, as a way to avoid, or in lieu of regular radio communications.
- (b) Members are prohibited from taking pictures, audio or video recordings or making copies of any such picture or recording media unless it is directly related to official department business. Disclosure of any such information to any third party through any means, without the express authorization of the Chief of Police or the authorized designee, may result in discipline.
- (c) Using PCDs to harass, threaten, coerce or otherwise engage in inappropriate conduct with any third party is prohibited. Any member having knowledge of such conduct shall promptly notify a supervisor.

702.7 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors include, but are not limited to:

- (a) Ensuring that members under their command are provided appropriate training on the use of PCDs consistent with this policy.
- (b) Monitoring, to the extent practicable, PCD use in the workplace and taking prompt corrective action if a member is observed or reported to be improperly using a PCD.
 - 1. An investigation into improper conduct should be promptly initiated when circumstances warrant.

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2. Before conducting any administrative search of a member's personally owned device, supervisors should consult with the Chief of Police or the authorized designee.

702.8 OFFICIAL USE

Members are reminded that PCDs are not secure devices and conversations may be intercepted or overheard. Caution should be exercised while utilizing PCDs to ensure that sensitive information is not inadvertently transmitted.

702.9 USE WHILE DRIVING

Officers shall not hold or use a PCD while operating a motor vehicle, unless the device is used in conjunction with hands-free or voice-operated technology or the device is being used to contact a 9-1-1 system (I.C. § 9-21-8-59).

Vehicle Maintenance

703.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that department vehicles are appropriately maintained.

703.2 POLICY

The West Lafayette Police Department will service department vehicles to ensure they remain operational and maintain their appearance, as resources allow.

703.3 GENERAL DUTIES

Members are responsible for assisting in maintaining department vehicles so that they are properly equipped, properly maintained and properly refueled and present a clean appearance.

703.4 DEFECTIVE VEHICLES

When a vehicle becomes inoperative or in need of repair that affects the safety of the vehicle, that vehicle shall be removed from service. A help ticket shall be promptly completed by the member who becomes aware of the defective condition and forwarded for action.

703.4.1 DAMAGE OR POOR PERFORMANCE

Vehicles that may have been damaged or perform poorly shall be removed from service for inspections and repairs as soon as practicable. Any damage to a department vehicle shall be immediately reported to the officers supervisor.

703.4.2 SEVERE USE

Vehicles operated under severe-use conditions, which include operations for which the vehicle is not designed or that exceed the manufacturer's parameters, should be removed from service and subjected to a safety inspection as soon as practicable. Such conditions may include rough roadway or off-road driving, hard or extended braking, pursuits or prolonged high-speed operation.

703.4.3 REMOVAL OF WEAPONS

All firearms, weapons and control devices shall be removed from a vehicle and properly secured in the department armory prior to the vehicle being released for maintenance, service or repair.

703.5 VEHICLE EQUIPMENT

Certain items shall be maintained in all department vehicles.

703.5.1 PATROL VEHICLES

Officers shall inspect the patrol vehicle at the beginning of the shift and ensure that the following equipment, at a minimum, is in the vehicle:

- Emergency road flares
- Roll of crime scene barricade tape
- First-aid kit and CPR mask

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- Blanket
- Fire extinguisher
- Bloodborne pathogen kit, including protective gloves and a National Institute for Occupational Safety and Health (NIOSH) particulate respirator mask
- Hazardous materials emergency response handbook
- Digital camera
- Vehicle lock out kit
- Properly stocked active shooter go bag
- Patrol Rifle with sling and functioning weapon light
- Less Lethal Shotgun with sling attachment
- Leg shackles

703.6 VEHICLE REFUELING

Absent emergency conditions or supervisor approval, patrol vehicles shall not be placed into service with less than one-quarter tank of fuel. Patrol vehicles should not be retired at the end of shift with less than one-quarter tank of fuel. Vehicles shall only be refueled at the authorized location.

703.7 WASHING OF VEHICLES

Vehicles shall be kept clean at all times and, weather conditions permitting, shall be washed as necessary to maintain the professional appearance of the Department.

Members shall remove any trash or debris at the end of their shifts.

Vehicle Use

704.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system of accountability to ensure department vehicles are used appropriately. This policy provides guidelines for on- and off-duty use of department vehicles and shall not be construed to create or imply any contractual obligation by the City of West Lafayette to provide assigned take-home vehicles.

704.2 POLICY

The West Lafayette Police Department provides vehicles for department-related business and may assign patrol and unmarked vehicles based on a determination of operational efficiency, economic impact to the Department, requirements for tactical deployments and other considerations.

704.3 USE OF VEHICLES

704.3.1 INSPECTIONS

Members shall be responsible for inspecting the interior and exterior of any assigned vehicle before taking the vehicle into service and at the conclusion of their shifts. Any previously unreported damage, mechanical problems, unauthorized contents or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

The interior of any vehicle that has been used to transport any person other than a member of this department should be inspected prior to placing another person in the vehicle and again after the person is removed. This is to ensure that unauthorized or personal items have not been left in the vehicle.

When transporting any suspect, prisoner or arrestee, the transporting member shall search all areas of the vehicle that are accessible by the person before and after that person is transported.

All department vehicles are subject to inspection and/or search at any time by a supervisor without notice and without cause. No member assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

704.3.2 SECURITY AND UNATTENDED VEHICLES

Unattended vehicles should be locked and secured at all times. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine safety). Officers who exit a vehicle rapidly in an emergency situation or to engage in a foot pursuit must carefully balance the need to exit the vehicle quickly with the need to secure the vehicle.

Members shall ensure all weapons are secured while the vehicle is unattended.

Police vehicles should not be left running while unattended unless circumstances such as working an accident or temperatures below 20 degrees Fahrenheit exist. It does not take long for these

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vehicles to warm in the winter or cool in the summer. Excessive running of the engines causes needless wear and tear on the vehicles, and unnecessary consumption of fuel.

704.3.3 MOBILE DATA TERMINAL

Members assigned to vehicles equipped with a Mobile Data Terminal (MDT) shall log onto the MDT with the required information when going on-duty. If the vehicle is not equipped with a working MDT, the member shall notify the Dispatch Center. Use of the MDT is governed by the Mobile Data Terminal Policy.

704.3.4 VEHICLE LOCATION SYSTEM (AVL)

Patrol and other vehicles, at the discretion of the Chief of Police, may be equipped with a system designed to track the vehicle's location. While the system may provide vehicle location and other information, members are not relieved of their responsibility to use required communication practices to report their location and status.

Members shall not make any unauthorized modifications to the system. At the start of each shift, members shall verify that the system is on and report any malfunctions to their supervisor and create a help ticket documenting the need for repair.

All data captured by the system shall be retained in accordance with the established records retention schedule.

704.3.5 ALCOHOL

Members who have consumed alcohol are prohibited from operating any department vehicle.

City vehicles will not be utilized to transport alcoholic beverages, unless the seized alcoholic beverage is evidence to be transported to Headquarters or in normal course of duty.

704.3.6 PARKING

Except when responding to an emergency or when urgent department-related business requires otherwise, members driving department vehicles should obey all parking regulations at all times.

704.3.7 CIVILIAN MEMBER USE

Civilian members using marked emergency vehicles shall ensure that all weapons have been removed before a vehicle is taken off property to be serviced.

704.3.8 TRANSPORTATION OF ITEMS

Large items and animals will not be transported in patrol vehicles.

704.3.9 OFF DUTY VEHICLE USE

Off duty officers shall be required to possess a department ID, badge and handgun while operating a department vehicle.

Off duty officers shall be dressed appropriately while operating a department vehicle. No flip flops, tank tops or shirts with offensive language.

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704.3.10 SEATBELT USE

Officers shall wear a seatbelt while operating a department vehicle.

704.3.11 MOBILE RADIO

Officers shall possess a mobile radio, which will be in operation while the vehicle is in use.

704.3.12 BIO HAZARDS

If blood or body fluids are found in or on the car, the biohazard placard should be placed on both key locks of the car doors. The “deadlined” tag should be placed on the keyboard and a detailed memo should be left for the SSB Captain and Maintenance Technician. Officers should attempt to clean as much of the biohazard up as they can by using the appropriate PPE’s and biohazard bag. Arrangements will then be made to have the car professionally cleaned.

704.3.13 PREPARING VEHICLES FOR ONCOMING SHIFT

In the event that snow, ice, or frost accumulates on the unused police vehicles, it is the responsibility of the off-going shift commander to insure that vehicles to be used by the oncoming shift are warmed, ready to operate, and free from snow, ice, or frost on the windshields. When clearing the windshields, use the snow/ice brushes provided. Do not use the windshield wipers to clear frozen material on the windshield due to the fact that this damages the wiper blades.

704.4 INDIVIDUAL MEMBER ASSIGNMENT TO VEHICLES

Department vehicles may be assigned to individual members at the discretion of the Chief of Police. Vehicles may be assigned for on-duty and/or take-home use. Assigned vehicles may be changed at any time. Permission to take home a vehicle may be withdrawn at any time.

The assignment of vehicles may be suspended when the member is unable to perform his/her regular assignment.

704.4.1 ON-DUTY USE

Vehicle assignments shall be based on the nature of the member’s duties, job description and essential functions, and employment or appointment status. Vehicles may be reassigned or utilized by other department members at the discretion of the Chief of Police or the authorized designee.

704.4.2 TAKE HOME VEHICLES

Assignment of take-home vehicles shall be based on the nature of the member’s duties, job description and essential functions; and the member’s employment or appointment status. Residence in the City of West Lafayette is a prime consideration for assignment of a take-home vehicle.

Take home vehicles will only be assigned to members, regardless of duties or job description, who reside in Tippecanoe County or a contiguous county. (Benton, Carroll, Clinton, Fountain, Montgomery, Warren, or White).

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Members are cautioned that under federal and local tax rules, personal use of a City vehicle may create an income tax liability for the member. Questions regarding tax rules should be directed to the member's tax adviser.

Personnel assigned take-home vehicles will not drive the vehicle outside Tippecanoe County unless authorized by the Chief of Police or his/her designee.

704.4.3 ENFORCEMENT ACTIONS

When driving a take-home vehicle to and from work outside of the jurisdiction of the West Lafayette Police Department or while off-duty, an officer shall not initiate enforcement actions except in those circumstances where a potential threat to life or serious property damage exists (see the Off-Duty Law Enforcement Actions and Law Enforcement Authority policies).

Officers may render public assistance when it is deemed prudent (e.g., to a stranded motorist).

Officers driving take-home vehicles shall be armed and appropriately attired and shall carry their department-issued identification. Officers should also ensure that department radio communication capabilities are maintained to the extent feasible.

704.4.4 MAINTENANCE

Members are responsible for the cleanliness (exterior and interior) and overall maintenance of their assigned vehicles. Cleaning and maintenance supplies will be provided by the Department. Failure to adhere to these requirements may result in discipline and loss of vehicle assignment. The following should be performed as outlined below:

- (a) Members shall make daily inspections of their assigned vehicles for service/maintenance requirements and damage.
- (b) It is the member's responsibility to ensure that his/her assigned vehicle is maintained according to the established service and maintenance schedule.
- (c) The Department shall be notified of problems with the vehicle and approve any major repairs before they are performed.
- (d) All weapons shall be removed from any vehicle left for maintenance.
- (e) Supervisors shall make regular inspections of vehicles assigned to members under their command to ensure the vehicles are being maintained in accordance with this policy.

704.5 REQUIRED EQUIPMENT

The following equipment are required of all vehicles within the patrol division:

34 extra rounds of 9mm ammunition

56 extra rounds of 5.56 ammunition

1 pair side cuts

1 35 mph and 1 80 mph radar tuning fork.

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1 digital camera
1 sealed fire extinguisher
1 blanket.
1 windshield scraper
1 broom
12 fusees
1 roll barricade tape
1 CPR resuscitation kit
3 Stop Sticks with reel and line
1 Remington 870 12 ga. shotgun with 4 less lethal rounds.
Reflective traffic vest
3 Flex cuffs
First Aid Kit

704.6 DAMAGE, ABUSE AND MISUSE

When any department vehicle is involved in a traffic accident or otherwise incurs damage, the involved member shall immediately notify their shift commander.

1. All Damage to any patrol vehicle shall be documented during the same shift it was discovered/occurred.
2. If the damage is a result of a crash, a crash report will be completed.
 - a. See policy "Traffic Accidents" in chapter five for further details.
3. If the damage is a result of an action other than a vehicle crash the shift commander will complete a case report.

In all cases, the shift commander shall send an email and a copy of the report to the Deputy Chief of Police, Captain of Patrol, Captain of Special Services and Maintenance Technician notifying them of the damage/incident.

Department Credit Cards

705.1 DEPARTMENT CREDIT CARDS

I. Purpose: The purpose of this policy is to set guidelines for control and accountability of the department's credit cards.

II. Policy: The department credit cards shall be maintained by the Chief of Police and his designee(s). Other department personnel who are assigned to travel or attend training outside of the department or otherwise authorized by the Chief to make purchases on behalf of the department may utilize the department credit card.

III. The Order:

A. The Credit Cards should only be used with the approval of the Chief of Police or his designee.

1. All receipts shall be itemized, saved and turned in to the Office Manager.
2. The credit cards shall not be used to pay for items or services that the department would not normally reimburse the officer for. If inappropriate items or services are charged to the credit card, the employee shall reimburse the city. If the employee fails to reimburse the city, the city shall garnish the employee's wages for reimbursement.
3. The Chief of Police shall be notified immediately if a credit card is lost or stolen. If a credit card is lost, due to negligence on the part of the employee, the employee shall be responsible for any and all expenses incurred.

Support Car Program

706.1 SUPPORT CAR PROGRAM

I. Purpose: More officers who live in the jurisdiction they serve tend to develop better relationships with the community and the public. Officers living in the city they police have a better understanding of community issues, and will take greater ownership in addressing those issues. The Police Department encourages officers to live inside the city and will offer incentives to influence the officer's choice in housing.

II. Policy: The purpose of this policy is to establish guidelines for issuance of marked squad cars to officers who choose to live within the city we serve.

III. Procedure:

- A. Eligible Employees: Any full-time sworn officer who has completed the probationary period and purchases a home within the City of West Lafayette.
- B. Officers who purchase a home in the city will be issued a marked squad car to be used in accordance with established department guidelines for take home vehicles
- C. Vehicles will be issued to officers in the normal yearly rotation of fleet vehicles as soon as possible, after they have moved into the purchased home.
- D. Patrol Officers who have been issued a vehicle under this policy will forfeit the vehicle if they move outside the city limits.

Police Utility Knives

707.1 POLICE UTILITY KNIVES

707.1.1 PURPOSE

The purpose of this policy is to establish guidelines for the selection, maintenance, carry, safe handling, and proper use of the police utility knives.

707.1.2 DEFINITIONS

Police Utility Knife: In the present context, there are two types of knives which can be categorized as a police utility knife: a fixed blade, with a fixed blade and fixed handle, and a folding blade knife in which the blade mechanically folds into the handle. The folding knife is commonly referred to as a pocketknife

707.1.3 POLICY

It is the policy of the West Lafayette Police Department to provide guidelines on the selection of departmentally approved police duty knives, knives an officer may carry, and how and when knives may be carried and used in order to increase officer and public safety and further reduce department liability.

707.2 THE ORDER

707.2.1 AUTHORIZED USE

The West Lafayette Police Department recognizes the need for its officers to be properly equipped to handle a wide variety of duty responsibilities. Officers may carry police utility knives as authorized by this policy and consistent with their duty assignment.

The police utility knife is intended solely for the purpose of carrying out the general duties and designated specialized assignments of police operations; its use as a defensive or offensive weapon is authorized only in exigent circumstances requiring use of deadly force as outlined in policy

707.2.2 AUTHORIZED BLADES AND CARRY REQUIREMENTS

Officers may carry a utility knife of such quality and design to withstand the rigors and job responsibilities of their assignment as determined by their commanding officer or unit supervisor.

Police utility knives shall be secured in either a scabbard (for fixed blades) or folded and secured by a fastening device so as to ensure officer safety, knife retention, and concealment. The blade and securing device shall be carried in the least obtrusive manner possible, whether the officer is on or off duty, and consistent with the officer's duty assignment or tactical deployment.

Folding blades: Folding blade utility knives shall be constructed to a standard which meets the demands of work assignments as defined by departmental policy. The cutting edge of such knives shall not exceed four and one-half inches in length as measured from blade tip to handle, unless authorized by the Chief of Police.

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Police Utility Knives

Fixed blades: Officers may carry an approved fixed blade knife in a secured manner that is consistent with job assignments and officer safety. The cutting edge of such instruments may not exceed eight inches in length measured from tip to handle and must be secured in either a scabbard or other fastening device to ensure officer safety, retention, and carried in the least obtrusive manner possible. Fixed blades shall not be exposed.

707.2.3 COMPLIANCE AND SAFE HANDLING

Compliance: All duty knives carried by department personnel shall comply with state law unless waived by law for police use. Additionally, all duty knives and methods of carry and concealment shall be subject to the approval of designated supervisory or command personnel.

Safe handling: Officers shall handle the police utility knife in an appropriate and safe manner so as to ensure the safety of themselves, their fellow officers, and the general public. Officers shall not exhibit or handle the knife in a careless or alarming manner.

The authorized user shall be responsible for maintenance, safe storage, and use of his or her police utility knife. Any on-duty injuries must be reported to a supervisor.

707.2.4 PROHIBITED USES

Authorized users shall not:

1. Display a knife in any offensive or threatening manner without legitimate operational justification.
2. Carry a knife in any manner other than clipped in a pocket or waistband, inside the pants or vest, in a department approved sheath, or in another manner approved by authorized command personnel consistent with duty requirements.
3. Display a blade in any event other than an authorized deployment situation.
4. Carry a knife while handling prisoners in a custodial facility, except when needed for rescue, suicide prevention, or other authorized purposes as determined by supervisory officers.
5. Carry a department-issued knife while in plainclothes or undercover where the discovery of such an issued utility knife would compromise officer safety. Prior supervisor notification should be made.

707.2.5 USES AS A WEAPON

The police utility knife is not intended for use as a weapon and officers are discouraged from using it in this capacity. However, it may be used in defensive or offensive capacities under exigent circumstances requiring use of deadly force as outlined in policy.

Emergency Siren Activation System (Tema Plan)

708.1 EMERGENCY SIREN ACTIVATION SYSTEM (TEMA PLAN)

708.1.1 PURPOSE

This order establishes the guidelines to activate the warning system, and what action to take during and after the activation.

708.1.2 POLICY

All department personnel will understand the reasons that warrant activation of the warning system. Contact TCPD to have sirens activated.

708.2 THE ORDER

708.2.1 CAUSE TO ACTIVATE THE SIRENS/WARNING SYSTEM

1. Notification from the US Weather Bureau of a Tornado Warning in Tippecanoe County.
2. A CONFIRMED sighting or evidence of SEVERE DAMAGE from a RELIABLE SOURCE as determined by the person in charge of the agency receiving such a report.
3. A CONFIRMED report of hazardous chemical or substance incident that could cause WIDE SPREAD danger.
4. Any CONFIRMED report of an attack, (nuclear or otherwise).
5. An actual Tornado need NOT be sighted if there is evidence that severe weather conditions exist that could cause severe damage, loss of life, or serious injury.

708.2.2 ACTIONS AFTER REQUESTING ACTIVATION

1. The requesting agency will notify the Tippecanoe County Police Department via direct phone line, (or radio, if phone service is disrupted).

Advise them of the request, the reason, the location of the event, and direction of travel if known.

2. The Tippecanoe County Police will relay the information via direct phone lines, (or radio, if phone service is disrupted), to all agencies in the area. EMA/CD first, Police Agencies second, and the Fire Agencies third.
3. The Public Information Officer will establish and maintain contact with the local Media Agencies and Emergency Services.
4. EMA/CD will decide when the "ALL CLEAR" should be given. The Sirens/Warning System will NOT be used for this purpose. The Public Information Officer will notify the local media agencies, and they will announce the "ALL CLEAR" to the public.
5. Any inquiries from the public should be directed by tuning in to the local media sources for information.

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Emergency Siren Activation System (Tema Plan)

a) (All building page). If an actual warning is in effect: Announce, "THE EMERGENCY WARNING SYSTEM HAS BEEN ACTIVATED. ALL PERSONS IN THE BUILDING SHOULD IMMEDIATELY SEEK SHELTER IN THE BASEMENT".

6. Notify the Captain of Patrol after activation of the siren for any emergency situation Do not contact for a test only of the system.

Night Vision Equipment

709.1 NIGHT VISION EQUIPMENT

709.1.1 PURPOSE

This Order relates to authorization, distribution, and use of Night Vision equipment.

709.1.2 POLICY

The department shall exercise strict control over the use of night vision equipment, and keep an accurate accounting of its use and return.

709.2 THE ORDER

709.2.1 SPECIAL SERVICES BUREAU RESPONSIBILITIES

Be responsible for:

- a) Maintaining equipment in working order.
- b) Recording all model and serial numbers for department inventory.
- c) Maintaining a record of warranties.
- d) Budgeting and maintenance contract costs estimates to be forwarded to Chief of Police.

709.2.2 STORAGE OF EQUIPMENT

The night vision equipment storage:

- a) Shall be stored in the patrol storage room at headquarters.
- b) Shall be properly signed out and back in by the officer using the equipment.

709.2.3 USE OF NIGHT VISION EQUIPMENT

1. Requests to check out Night Vision equipment shall be made to the Shift Commander or O.I.C.

- a) Shift Commander or O.I.C. will verify that the equipment is properly signed out and back in.
- b) Shift Commander or O.I.C. shall verify that the equipment is not damaged, and is functional at sign out and sign in.
- c) The Shift Commander or O.I.C. will periodically check on the equipment to assure it is being operated in a professional manner, and is being used for the intended purpose.

2. Lost, stolen or damaged equipment shall be reported to the office of Chief of Police, and Captain of Special Services Bureau.

3. Use of Night Vision equipment by another agency component must be approved by Shift Command

Tint Meter Equipment

710.1 TINT METER EQUIPMENT

710.1.1 PURPOSE

This Order relates to the authorization and use of the tint meter.

710.1.2 POLICY

The Department shall exercise strict control over the use of the tint meter equipment.

710.2 THE ORDER

710.2.1 CAPTAIN OF PATROL RESPONSIBILITIES

Be responsible for:

- a) Maintaining equipment in working order.
- b) Recording all model and serial numbers for department inventory.
- c) Maintaining a record of warranties.

710.2.2 STORAGE OF TINT METER

Storage of equipment:

1. The tint meter equipment

- a) Shall be stored in the patrol storage room at headquarters.

710.2.3 USE OF EQUIPMENT

1. Requests to use the tint meter equipment shall be made to the Shift Commander or O.I.C.

- a) Shift Commander or O.I.C. will verify that the equipment is properly issued out and back in.
- b) Shift Commander or O.I.C. shall verify that the equipment is not damaged and is functional at the time it is issued out and returned.
- c) The Shift Commander or O.I.C. will periodically check on the equipment to assure it is being operated in a professional manner, and is being used for the intended purposes.

2. Lost, stolen, or damaged equipment shall be reported to the office of Chief of Police and Captain of Patrol.

3. Chief of Police, Deputy Chief, or Captain of Patrol must approve use of the tint meter equipment by another agency.

710.2.4 ENFORCEMENT

Enforcement:

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Tint Meter Equipment

1. Testing Procedure: Instrument must be checked for calibration using sample test standards prior to use and following each time the instrument is taken out.
2. Appropriate vehicle windows will be tested for light transmittance and a reading of 25% or above in the visible light range will be passing.
3. Officers may use discretion as to issuing a warning or citation for a violation.

License Plate Reader (LPR)

711.1 LICENSE PLATE READER (LPR)

711.1.1 PURPOSE

The purpose of this policy is to provide members and staff with guidance on the application and use of license plate readers (LPR) and the management of LPR data for parking enforcement

711.1.2 POLICY

License plate readers have enhanced the ability to effectively and efficiently manage parking operations. LPR can also assist in enhancing public safety by providing useful information in on-going criminal investigations. Members and staff will use LPRs in accordance with the procedures and guidelines set forth. Further, data captured from LPRs will be used properly and responsibly as defined herein.

711.1.3 GENERAL ADMINISTRATION

- a. LPRs will be used only by members who have been properly trained.
- b. LPR parking data will be accessed by staff who have been authorized by the Chief of Police for a legitimate law enforcement purpose.
- c. The Chief of Police will designate an LPR Parking Program Administrator who will oversee access to the system and be responsible for the overall management of the LPR Program.

711.1.4 LPR DATA

- a. The LPR scans the license plate and vehicle. LPR does not photograph the driver or occupants of a vehicle.
- b. Access to LPR data will be limited to parking control enforcement and official police investigations.
- c. LPR data from all mobile LPRs will be managed by T2, the parking management system contracted with the City of West Lafayette.
- d. All transactions and queries of the system are logged in the T2 database and are subject to review at any time. Anyone found to misuse the system is subject to disciplinary action.
- e. LPR data will be transferred/uploaded on a daily basis by Neighborhood Resource Officers to the T2 central server.
- f. LPR data will be maintained for 30 days or until a final disposition has been reached in the particular case. After the 30 day period the data will be purged from the server.
- g. LPR data that is flagged for appeals or investigations are not subject to the 30 day purge.

Automatic License Plate Reader (ALPR) Devices

712.1 PURPOSE

The purpose of this order is to provide members and staff with guidance on the application and use of Automatic License Plate Recognition (ALPR) devices and access to ALPR data.

712.2 DEFINITION

- A. **Automated License Plate Reader (ALPR):** A device that uses cameras and computer technology to compare digital images of license plates to lists of known information of interest.
- B. **Hot List:** A list of license plates associated with vehicles of interest compiled from one or more databases including, but not limited to, NCIC, BMV, local BOLO's, etc.
- C. **Vehicles of Interest:** Including, but not limited to vehicles which are reported stolen, display stolen license plates; vehicles linked to missing and/or wanted persons and vehicles flagged by the BMV or law enforcement agencies.

712.3 POLICY

ALPR devices and information contained within the ALPR database will be utilized for law enforcement purposes only.

712.4 USE

- A. Personnel will exercise due care and caution when utilizing an ALPR device and operating a vehicle.
- B. Personnel will ensure they are logged into the ALPR system under the username assigned to them.
- C. An officer may not detain an individual based on an alert from the ALPR system unless the officer has reasonable suspicion that such a person is involved in criminal activity. Each incident should be weighed according to the totality of circumstances presented therein. The following are general guidelines only but should assist an officer in determining when reasonable suspicion exists concerning various type of ALPR alerts.
 - (a) The officer will visually verify that the scanned plate matches the alert information with regard to plate letters, numbers, and the issuing state.
 - (b) The officer should attempt to visually verify that the vehicle description and any other descriptors provided are consistent between the alert and the vehicle in question.
 - (c) Once the state and all characters of the plate have been verified as accurate, the following information should be utilized by an officer in determining whether or not reasonable suspicion exists.
 - (a) **Expired Plates, Insurance and Other Suspensions** – Officers should verify the status of the plate through the BMV Return to establish reasonable suspicion.

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Automatic License Plate Reader (ALPR) Devices

- (b) **Stolen Vehicles and Stolen License Plates-** An alert alone is generally sufficient to establish reasonable suspicion. If possible, the status should be verified by the officer or dispatch through NCIC/IDACS.
- (c) **Wanted Person-** A wanted person alert may be utilized as reasonable suspicion unless the officer has information that the wanted subject is not inside the vehicle. If a vehicle entered into the system because of its association with a wanted individual, Officers should attempt to visually match an occupant to the description of the wanted subject prior to making the stop or should have another legal basis for making the stop.
- (d) **BOLO Only-** This alert is information only for officers, and reasonable suspicion may or may not exist based on the alert. The narrative of the alert will assist officers in determining the level of reasonable suspicion. Independent reasonable suspicion may or may not be required in order to detain.
- (e) **Officer Safety, Suspected Gang Member, Sexual Offender, Past Offender, Associate Only, and Information Only-** These alerts are information only for officers. Additional reasonable suspicion should be obtained in order to detain.

712.5 HOT LIST

In order to enter a plate into the Local Hotlist (database containing West Lafayette PD alerts), an officer should have reasonable suspicion to believe the car is directly associated with the person sought or criminal activity. This association to the plate shall be documented by field contact, case reports, BMV return or other approved recorded law enforcement intelligence methods.

- (a) Once the officer has sufficient evidence based on the above, an entry into a Hotlist may be made. If a plate has been, or will be entered into NCIC, it may not need to be entered onto an additional local Hotlist.
- (b) All entries into the Hotlist will be made by an administrator of the database or a commander with rights to enter a plate on the hotlist.
- (c) Generally, only complete plates should be placed on a hotlist. Only in serious cases should partial plates be considered to be placed on a hotlist.
- (d) Officers requesting a plate entry should be cognizant that alerts expire after 30 days, and a renewal request may need to be made.
- (e) Once the entering employee is made aware the alert is no longer valid, they should immediately request through a system administrator that the plate be removed from the system.
- (f) Once an alerted vehicle is stopped and an action taken that would cause the alert to no longer be valid, the request to have the alert removed should be completed immediately by contacting dispatch.

712.6 DATA SECURITY AND ACCESS

- A. ALPR devices/databases will be utilized/accessed for law enforcement purposes only.

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Automatic License Plate Reader (ALPR) Devices

- B. Personnel who are granted access to ALPR devices and/or databases will be issued a username and password specific to each individual.
- C. When conducting investigative queries into an ALPR database, a requestor, case number (if available) and reason shall be entered associated with the search.
- D. Personnel will not release any specific information obtained by the ALPR devices to non-law enforcement personnel unless required by law.
- E. Sample audits will be conducted at least annually to ensure compliance with these requirements. The Captain of Special Services or ALPR System Administrator will be responsible for the audit and retention of audit records.

712.7 OPERATOR TRAINING

- A. Prior to using the ALPR system, officers will complete the Department approved training and demonstrate proficiency based on the manufacturer's recommendations.

712.8 DATA STORAGE, RETENTION, AND SHARING

- A. The database retention period for all data collected will be 30 days. If data is determined to be associated in an investigation, then it will be kept under the proper rules of evidence for that specific investigation.
- B. An audit trail of all searches is kept. This audit trail can be monitored for compliance of proper procedure and use.
- C. Sharing of data will be at the discretion of the Chief of Police or his designee.

712.9 DOCUMENTATION OF AN LPR ALERT

- A. Use of ALPR technology can result in several types of notifications and lead information. Notifications can originate from the Mobile Computer Terminal (MCT), a radio dispatch or other manners. If this notification leads to legal grounds for a traffic stop to be initiated, then it will be documented as follows within a case report:

ON [date and time] I received lead information from a ALPR camera that a vehicle of interest, [plate and/or description], was in the vicinity of [general area].

The subsequent narrative will then describe the legal reason for the stop with supporting verifying information, specific information, and other action taken.

Personal Protective Equipment

713.1 PURPOSE AND SCOPE

This policy identifies the different types of personal protective equipment (PPE) provided by the Department as well the requirements and guidelines for the use of PPE.

This policy does not address ballistic vests or protection from communicable disease, as those issues are addressed in the Body Armor and Communicable Diseases policies.

713.1.1 DEFINITIONS

Definitions related to this policy include:

Personal protective equipment (PPE) - Equipment that protects a person from serious workplace injuries or illnesses resulting from contact with chemical, radiological, physical, electrical, mechanical or other workplace hazards.

Respiratory PPE - Any device that is worn by the user to protect from exposure to atmospheres where there is smoke, low levels of oxygen, high levels of carbon monoxide, or the presence of toxic gases or other respiratory hazards. For purposes of this policy, respiratory PPE does not include particulate-filtering masks such as N95 or N100 masks.

713.2 POLICY

The West Lafayette Police Department endeavors to protect members by supplying certain PPE to members as provided in this policy.

713.3 OFFICER RESPONSIBILITIES

Members are required to use PPE as provided in this policy and pursuant to their training.

Members are responsible for proper maintenance and storage of issued PPE. PPE should be stored in an appropriate location so that it is available when needed.

Any member who identifies hazards in the workplace is encouraged to utilize the procedures in the Illness and Injury Prevention Policy to recommend new or improved PPE or additional needs for PPE.

713.4 HEARING PROTECTION

Approved hearing protection shall be used by members during firearms training.

Hearing protection shall meet or exceed the requirements provided in 29 CFR 1910.95 and 620 I.A.C. 1-1-24.

713.5 EYE PROTECTION

Approved eye protection, including side protection, shall be used by members during firearms training. Eye protection for members who wear prescription lenses shall incorporate the prescription (e.g., eye protection that can be worn over prescription lenses). Members shall ensure their eye protection does not interfere with the fit of their hearing protection.

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Personal Protective Equipment

The Rangemaster shall ensure eye protection meets or exceeds the requirements provided in 29 CFR 1910.133 and 620 I.A.C. 1-1-1.

Chapter 8 - Support Services

Crime Analysis

800.1 PURPOSE AND SCOPE

This policy provides guidelines for utilizing crime analysis to support the overall law enforcement efforts of the West Lafayette Police Department. It addresses the collection and dissemination of crime analysis data that is useful to long-range planning and that can assist in identifying enforcement priorities, strategies and tactics.

800.2 POLICY

It is the policy of the West Lafayette Police Department to utilize crime analysis as a tool in crime control and prevention efforts. This entails gathering, analyzing and correlating data to effectively deploy the resources of this department.

800.3 DATA SOURCES

Crime analysis data is extracted from many sources including, but not limited to, the following:

- Crime reports
- Field Interview
- Parole and probation records
- Activity records from the Dispatch Center
- Criminal Intelligence Section of the Indiana State Police
- Indiana Criminal Justice Institute

800.4 CRIME ANALYSIS FACTORS

The following minimum criteria should be used in collecting data for crime analysis:

- Frequency by type of crime
- Geographic factors
- Temporal factors
- Victim and target descriptors
- Suspect descriptors
- Suspect vehicle descriptors
- Modus operandi factors
- Physical evidence information

800.5 CRIME ANALYSIS DISSEMINATION

Information developed through crime analysis should be disseminated to the appropriate divisions or members on a timely basis. Information that is relevant to the operational or tactical plans of

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Crime Analysis

specific line members should be sent directly to them. Information relevant to the development of department strategic plans should be provided to the appropriate command staff members.

When information pertains to tactical and strategic plans, it should be provided to all affected members.

In addition to internal distribution, the Deputy Chief should ensure that data and analysis is disseminated as needed to community stakeholders.

800.5.1 EXTERNAL DISTRIBUTION

The Criminal Investigation Commander should ensure that crime data and analysis is disseminated to other local agencies, community groups, or individuals, as appropriate.

The Dispatch Center

801.1 PURPOSE AND SCOPE

This policy establishes guidelines for the basic functions of the Dispatch Center. It addresses the immediate information needs of the Department in the course of its normal daily activities and during emergencies.

801.2 POLICY

It is the policy of the West Lafayette Police Department to provide 24-hour telephone service to the public for information and for routine or emergency assistance. The Department provides two-way radio capability for continuous communication between the Dispatch Center and department members in the field. The police department will have a certified IDACS operator on duty and in the radio room twenty-four hours a day.

801.3 THE DISPATCH CENTER SECURITY

The communications function is vital and central to all emergency service operations. The safety and security of the Dispatch Center, its members and its equipment must be a high priority.

Access to the Dispatch Center shall be limited to the Dispatch Center members, the Shift Supervisor, command staff and department members with a specific business-related purpose.

801.4 RESPONSIBILITIES

801.4.1 DISPATCH SUPERVISOR

The Chief of Police shall appoint and delegate certain responsibilities to a Dispatch Supervisor. The Dispatch Supervisor is directly responsible to the Captain of Patrol or the authorized designee.

The responsibilities of the Dispatch Supervisor include, but are not limited to:

- (a) Overseeing the efficient and effective operation of the Dispatch Center in coordination with other supervisors.
- (b) Scheduling and maintaining dispatcher time records.
- (c) Supervising, training and evaluating dispatchers.
- (d) Ensuring the radio and telephone recording system is operational.
 - 1. Recordings shall be maintained in accordance with the established records retention schedule and as required by law.
- (e) Processing requests for copies of the Dispatch Center information for release.
- (f) Maintaining the Dispatch Center database systems.
- (g) Maintaining and updating the Dispatch Center procedures manual.
 - 1. Procedures for specific types of crime reports may be necessary. For example, specific questions and instructions may be necessary when talking with a victim

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of a sexual assault to ensure that his/her health and safety needs are met, as well as steps that he/she may take to preserve evidence.

2. Ensuring dispatcher compliance with established policies and procedures.
- (h) Handling internal and external inquiries regarding services provided and accepting personnel complaints in accordance with the Personnel Complaints Policy.
- (i) Maintaining a current contact list of City personnel to be notified in the event of a utility service emergency.

801.4.2 ADDITIONAL PROCEDURES

The Dispatch Supervisor should establish procedures to ensure:

- (a) Recording all telephone and radio communications and playback issues.
- (b) Storage and retention of recordings.
- (c) Security of audio recordings (e.g., passwords, limited access, authorized reviewers, preservation of recordings past normal retention standards).
- (d) Availability of current information for dispatchers (e.g., Shift Supervisor contact, rosters, member tracking methods, member contact, maps, emergency providers, tactical dispatch plans).
- (e) Assignment of field members and safety check intervals.
- (f) Emergency Medical Dispatch (EMD) instructions.
- (g) Procurement of external services (e.g., fire suppression, ambulances, aircraft, tow trucks, taxis).
- (h) Protection of essential equipment (e.g., surge protectors, gaseous fire suppression systems, uninterruptible power systems, generators).
- (i) Protection of radio transmission lines, antennas and power sources for the Dispatch Center (e.g., security cameras, fences).
- (j) Handling misdirected, silent and hang-up calls.
- (k) Radio interoperability issues.

801.4.3 DISPATCHERS

Dispatchers report to the Dispatch Supervisor.

The responsibilities of the dispatcher include but are not limited to:

- (a) Receipt and handling of all incoming and transmitted communications, including:
 1. Emergency 9-1-1 lines.
 2. Business telephone lines.
 3. Telecommunications Device for the Deaf (TDD)/Text Telephone (TTY) equipment.

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4. Radio communications with department members in the field and support resources (e.g., fire department, emergency medical services (EMS), allied agency law enforcement units).
5. Other electronic sources of information (e.g., text messages, digital photographs, video).
- (b) Documenting the field activities of department members and support resources (e.g., fire department, EMS, allied agency law enforcement units).
- (c) Inquiry and entry of information through the Dispatch Center, department, and other law enforcement database systems (e.g., Bureau of Motor Vehicles, National Crime Information Center, Indiana Data and Communications Center).
- (d) Monitoring department video surveillance systems.
- (e) Maintaining the current status of members in the field, their locations, and the nature of calls for service.
- (f) Notifying the Shift Supervisor or field supervisor of emergency activity, including but not limited to:
 1. Vehicle pursuits.
 2. Foot pursuits.
 3. Assignment of emergency response.

801.5 CALL HANDLING

This department provides members of the public with access to the 9-1-1 system for a single emergency telephone number.

When a call for services is received, the dispatcher will reasonably and quickly attempt to determine whether the call is an emergency or non-emergency, and shall quickly ascertain the call type, location and priority by asking four key questions:

- Where?
- What?
- When?
- Who?

If the dispatcher determines that the caller has a hearing and/or speech impairment or disability, he/she shall immediately initiate a connection with the individual via available TDD/TTY equipment or Telephone Relay Service (TRS), as mandated by the Americans with Disabilities Act (ADA).

If the dispatcher determines that the caller is a Limited English Proficiency (LEP) individual, the dispatcher should quickly determine whether sufficient information can be obtained to initiate an appropriate response. If language assistance is still needed, the language is known and a language-appropriate authorized interpreter is available in the Dispatch Center, the dispatcher should immediately connect the LEP caller to the authorized interpreter.

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If no authorized interpreter is available or the dispatcher is unable to identify the caller's language, the dispatcher will contact the contracted telephonic interpretation service and establish a three-party call connecting the dispatcher, the LEP individual and the interpreter.

Dispatchers should be courteous, patient and respectful when dealing with the public.

See call specific communication procedures: [See attachment: Communication Procedures.pdf](#)

801.5.1 E911 RESPONSE

I. Purpose: Provides Emergency Service for public/officer safety.

II. Policy: Department Personnel will understand the use and procedures of the Enhanced 911 System.

III. The Order:

A. When a 911 call is received, personnel will follow these guidelines:

1. Complete the call by pushing in the button on the activated line. Screen will display caller information. For Text to 911, generate a CAD sheet and enter call information.
2. Answer the call "911 what is your emergency"
3. Obtain necessary information and any medical problems promptly.
4. Verify information on screen and get directions to the location if unavailable on screen. Keep the subject on the telephone if necessary. Verify information for Text to 911. The nature of the complaint and the location must be collected by the dispatcher.
5. Dispatch appropriate agency: Police/Fire or Ambulance and advise them of the incident.
6. Text a confirmation to the complainant for Text to 911 to confirm that you are sending the appropriate emergency responder.
7. Terminate the call when possible and print the information.
8. When you receive an incomplete call, telephone the location and see if there is a problem, or when receiving a call from a small child and you are unable to speak with a responsible party, dispatch an officer or officers reference both type of calls.
9. You may receive a Text to 911 by mistake. Call or test the phone number and ask if there is an emergency.
10. Update the "call information" on the screen, and if there are any changes in the information provided on the screen fill out the appropriate form and forward to the 911 coordinator at Tippecanoe Co. Sheriff's Department.

801.5.2 EMERGENCY CALLS

A call is considered an emergency when there is an immediate or potential threat to life or serious property damage, and the timely arrival of public safety assistance is of the utmost importance. A person reporting an emergency should not be placed on hold until the dispatcher has obtained all

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necessary information to ensure the safety of the responding department members and affected individuals.

Emergency calls should be dispatched immediately. The Shift Supervisor shall be notified of pending emergency calls for service when department members are unavailable for dispatch.

801.5.3 NON-EMERGENCY CALLS

A call is considered a non-emergency call when there is no immediate or potential threat to life or property. A person reporting a non-emergency may be placed on hold, if necessary, to allow the dispatcher to handle a higher priority or emergency call.

The reporting person should be advised if there will be a delay in the dispatcher returning to the telephone line or when there will be a delay in the response for service.

801.5.4 PRIVATE SECURITY ALARMS

The West Lafayette Police Department does not monitor security alarms. The dispatcher should utilize information supplied by the security company to determine whether the call is an emergency and proceed to dispatch the call consistent with this policy. Officers should respond accordingly (see the Officer Response to Calls Policy).

801.6 RADIO COMMUNICATIONS

The police radio system is for official use only, to be used by dispatchers to communicate with department members in the field. All transmissions shall be professional and made in a calm, businesslike manner, using proper language and correct procedures. Such transmissions shall include, but are not limited to:

- (a) Members acknowledging the dispatcher with their radio identification call signs.
- (b) Dispatchers acknowledging and responding promptly to all radio transmissions.
- (c) Members keeping the dispatcher advised of their status and location.
- (d) Member and dispatcher acknowledgements shall be concise and without further comment unless additional information is needed.

The Dispatch Supervisor shall be notified of radio procedure violations or other causes for complaint. All complaints and violations will be investigated and reported to the complainant's supervisor and processed through the chain of command.

801.6.1 REQUIRED COMMUNICATION CAPABILITIES

The Department shall maintain 24-hour radio capabilities between the Dispatch Center and on-duty members.

801.6.2 FEDERAL COMMUNICATIONS COMMISSION COMPLIANCE

West Lafayette Police Department radio operations shall be conducted in accordance with Federal Communications Commission (FCC) procedures and requirements.

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801.6.3 RADIO IDENTIFICATION

Radio call signs are assigned to department members based on factors such as duty assignment, uniformed patrol assignment and/or member identification number. Dispatchers shall identify themselves on the radio with the appropriate department name or and identify the department member by his/her call sign. Members should use their call signs when initiating communication with the dispatcher. The use of the call sign allows for a brief pause so that the dispatcher can acknowledge the appropriate department member. Members initiating communication with other law enforcement or support agencies shall use their entire radio call sign, which includes the department station name or number.

801.7 DOCUMENTATION

It shall be the responsibility of the Dispatch Center to document all relevant information on calls for service or self-initiated activity. Dispatchers shall attempt to elicit, document and relay as much information as possible to enhance the safety of the member and assist in anticipating conditions that may be encountered at the scene. Desirable information would include, at a minimum, the following:

- Incident number
- Date and time of request
- Name and address of the reporting person, if possible
- Type of incident reported
- Involvement of weapons, drugs and/or alcohol
- Location of incident reported
- Identification of members assigned as primary and backup
- Time of dispatch
- Time of the responding member's arrival
- Time of member's return to service
- Disposition or status of reported incident

801.8 CONFIDENTIALITY

Information that becomes available through the Dispatch Center may be confidential or sensitive in nature. All the Dispatch Center members shall treat information that becomes known to them as confidential and release that information in accordance with the Protected Information Policy.

Automated data, such as Bureau of Motor Vehicles records, warrants, criminal history information, records of internal police files or medical information, shall only be made available to authorized law enforcement personnel. Prior to transmitting confidential information via the radio, an admonishment shall be made that confidential information is about to be broadcast.

Property and Evidence Section

802.1 PURPOSE AND SCOPE

This policy provides guidelines for the proper processing, storage, security and disposition of evidence and other property. This policy also provides for the protection of the chain of custody and identifies those persons authorized to remove and/or destroy property.

802.1.1 DEFINITIONS

Definitions related to this policy include:

Property - All articles placed in secure storage within the Property and Evidence Section, including the following:

- Evidence - Items taken or recovered in the course of an investigation that may be used in the prosecution of a case, including electronic or digital files, photographs and latent fingerprints.
- Found property - Items found by members of the Department or the public that have no apparent evidentiary value and where the owner cannot be readily identified or contacted.
- Safekeeping - Items received by the Department for safekeeping, such as a firearm, the personal property of an arrestee that has not been taken as evidence and items taken for safekeeping under authority of law.

802.2 POLICY

It is the policy of the West Lafayette Police Department to process and store all property in a manner that will protect it from loss, damage or contamination, while maintaining documentation that tracks the chain of custody, the location of property and its disposition.

802.3 PROPERTY AND EVIDENCE SECTION MANAGEMENT RESPONSIBILITIES

The Captain of Special Services is responsible for the management of the Property and Evidence Section. The Captain of Special Services should designate a Property/Evidence Manager to assist with documenting, classifying, storing, tracking and disposing of property received by or managed by the Property and Evidence Section.

The Captain of Special Services should ensure:

- (a) Procedures are established to preserve the safety, security and chain of custody for all property received or handled by the Property and Evidence Section.
- (b) Property and evidence facilities include:
 1. A package, submission and intake area separate from the secure storage area.
 2. Separate secure storage areas for controlled substances/narcotics and dangerous drugs, firearms and cash.
 3. Adequate refrigerator storage

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4. A secure area for drying moist items (e.g., items stained with bodily fluids) before packaging.
5. An orderly system for numbering and storing property/evidence being retained by the property room should be provided.
- (c) Facility security and access control, including separate secure access (which may include video surveillance) for controlled substances/narcotics and dangerous drugs, firearms and cash storage areas.
- (d) Procedures are established for packaging, submission, storage and disposition of all property, as well as items requiring special packaging such as:
 1. Bicycles
 2. Biological items
 3. Cash
 4. Controlled substances/narcotics and dangerous drugs
 5. Explosives, ammunition and fireworks
 6. Firearms and other weapons
 7. Hazardous or flammable substances
 8. Homicide evidence
 9. Motor vehicles
 10. Sharps
 11. Items requiring refrigeration or freezing
- (e) Appropriate property management forms and automated systems are developed and available as appropriate.
- (f) Procedures for conducting inventories are developed.
- (g) Issues identified through any audits or inspections are appropriately addressed.

802.4 PROPERTY AND EVIDENCE SECTION SECURITY

The Property and Evidence Section shall maintain secure storage and control of all property in the custody of this department. A Property/Evidence Manager shall be appointed by and will be directly responsible to the Special Services Captain

802.4.1 REFUSAL OF PROPERTY

The Property/Evidence Manager has the obligation to refuse any piece of property that is hazardous or that has not been properly documented or packaged. Should the Property/Evidence Manager refuse an item of property, he/she shall maintain secure custody of the item in a temporary property locker or other safe location and inform the submitting member's supervisor of the reason for refusal and the action required for acceptance into the Property and Evidence Section.

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802.4.2 KEY CONTROL

Property and Evidence Section keys/door codes should be maintained by the Property/Evidence Manager and members assigned to the Property and Evidence Section. Property and Evidence Section keys/door codes shall not be loaned/given to anyone and shall be maintained in a secure manner.

802.4.3 ACCESS

Only authorized members assigned to the Property and Evidence Section shall have access to property storage areas. Any individual who needs to enter a property storage area (e.g., maintenance or repair contractors) must be approved by the Captain of Special Services. The Property/Evidence Manager shall maintain a log of such people who enter the property storage area. The log, at minimum, shall contain:

- (a) Name of individual
- (b) The date and time of entry and exit.
- (c) The purpose for access, including the specific case or property number.

Each access log entry shall be initialed by the accompanying department member.

802.5 PROPERTY HANDLING

The member who first comes into possession of any property is generally responsible for the care, custody and control of such property until it is transferred to the Property/Evidence Manager and/or processed and placed in a temporary property locker or storage area. Care shall be taken to maintain the chain of custody for all items of evidence.

802.5.1 PROCESSING AND PACKAGING

All property must be processed by the responsible member prior to the member going off-duty, unless otherwise approved by a supervisor. Members shall process and package property as follows:

- (a) A property voucher form shall be completed describing each item. List all known information, including the following:
 - 1. Serial number
 - 2. Owner's name
 - 3. Finder's name
 - 4. Other identifying information or marking
- (b) Each item shall be marked with the member's initials and the date processed using a method that will not damage, deface, degrade or devalue the item. Items too small or too delicate to mark should be individually packaged and labeled and the package marked with the member's initials and date.

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802.5.2 EXCEPTIONAL PROCESSING

The following items require special consideration and shall be processed as follows, unless special conditions dictate a reasonable deviation:

Bicycles - Bicycles and bicycle frames shall have a property tag securely attached and should be placed in the bicycle storage area.

Biological and related items - Evidence that may contain biological samples shall be indicated as such on the property form.

Property stained with bodily fluids, such as blood or semen, shall be air-dried in a secure location (e.g., locked drying room) prior to processing.

Items of evidence collected from a crime scene that require specific storage requirements pursuant to laboratory processing shall have such storage requirements clearly indicated on the property form.

Items that are potential biohazards shall be appropriately packaged and procedures should be in place to ensure the timely delivery of blood and other perishable evidence to refrigerated storage or a laboratory. Potential biohazards shall be marked "Biohazard" to reduce the risk of exposure or contamination.

Cash - Cash shall be counted in the presence of another member. The cash shall be placed in a property envelope and initialed by both members. A supervisor shall be contacted for cash in excess of \$1,000. The supervisor shall witness the count, initial and date the envelope, and specify any additional security procedures that may be necessary.

Explosives and fireworks - Explosives will not be retained in the police facility. Fireworks that are considered stable and safe, as well as road flares or similar signaling devices, may be stored in proper containers in an area designated for storage of flammable materials.

Firearms and other weapons - Firearms shall be unloaded and packaged separately from ammunition. Firearms shall be stored in designated firearms evidence boxes. Firearms shall be securely stored within said firearms box using zip ties. The action of the firearms shall have a zip tie run through it locking it open. Knife containers should be used to package knives.

City property that is of no evidentiary value should be released directly to the appropriate City department. No formal property processing is required.

If no responsible City personnel can be located, the property should be held for safekeeping.

Sharps - Syringe tubes should be used to package syringes and needles.

802.5.3 CONTROLLED SUBSTANCE/NARCOTICS AND DANGEROUS DRUGS

- (a) Controlled substances/Narcotics and dangerous drugs shall be packaged separately.
- (b) The member processing controlled substances/narcotics and dangerous drugs shall retain such property in his/her possession until it is packaged, tagged and placed in an evidence locker.

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- (c) Prior to packaging, if the quantity allows, a presumptive test should be made on all suspected controlled substances/narcotics. If conducted, the result of the test shall be included in the case report.
 - 1. The member shall package controlled substances/narcotics and dangerous drugs as follows:
 - (a) Maintain the property in the container in which it was seized if possible
 - (b) Seal and initial the property bag.

802.6 RECORDING OF PROPERTY

The Property/Evidence Manager receiving custody of property shall ensure a detailed digital record for each item or group of items is created. The detailed digital record will be the permanent record of the property in the Property and Evidence Section.

Any change in the location of property held by the West Lafayette Police Department shall be noted in the digital property record.

802.7 PROPERTY CONTROL

The Property/Evidence Manager temporarily relinquishing custody of property to another person shall record the transfer as a change of custody in the digital property record.

Any member receiving property shall be responsible for such property until it is returned to the Property and Evidence Section or released to another authorized person or entity.

The return of the property to the Property and Evidence Section should be recorded on the digital record.

802.7.1 EVIDENCE

Every time evidence is released or received, an appropriate entry on the digital record must be recorded.

Requests for laboratory analysis shall be requested by the case officer when submitted.

802.7.2 TRANSFER OF EVIDENCE TO CRIME LABORATORY

The Property/Evidence Manager shall complete the paperwork for laboratory analysis and transport the evidence to the crime lab. A digital record shall be recorded to maintain the chain of custody for all evidence.

802.7.3 CONTROLLED SUBSTANCES/NARCOTICS AND DANGEROUS DRUGS

The Property/Evidence Manager will be responsible for the storage, control and destruction of all controlled substances/narcotics and dangerous drugs coming into the custody of this department.

802.7.4 UNCLAIMED MONEY

Money confiscated by the West Lafayette Police Department, while in the course of an investigation, shall be logged into evidence and held per department policy until the case is

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completed in the judicial system or until ordered by the Prosecutor or a Judge. The money count will be verified by two employees.

In the event the Prosecutor does not file the necessary papers with the court, it is the responsibility of the West Lafayette Police Department to return the money to the rightful owner. The West Lafayette Police Department should make a reasonable attempt to return the money to the owner.

802.7.5 FOUND MONEY

West Lafayette Police Officers shall log into evidence any found money, either found by the Officer or reported by a citizen.

The money shall be held in the Department's money safe until the money is claimed by the true owner.

802.8 RELEASE OF PROPERTY

No property should be released from the Property and Evidence Section without documented authorization.

Firearms or ammunition should only be released upon presentation of valid identification and completion of authorized documents showing that the individual may legally possess the item, including criminal history check.

All reasonable attempts shall be made to identify the rightful owner of found property and items held for safekeeping.

Found property shall be retained for ninety (90) days as required by law. During such period, Property and Evidence Section members shall attempt to contact the rightful owner by telephone and/or mail when sufficient identifying information is available. The final disposition of all such property shall be documented in the evidence module digital record.

A Property/Evidence Manager shall release such property when the owner presents proper identification..The signature of the person receiving the property shall be recorded on the property release form..

802.8.1 FIELD RELEASE OF PROPERTY

Members may release certain property or evidence in the field to the lawful owner if the property or evidence can be sufficiently documented with photography or other recording mechanism and release of the item will not compromise the case. Prior to release of any evidence, a property form should be completed as provided for in this policy.

The release of any evidence should be documented on a property release form which should include the signature of the recipient of the item as proof of the release. If the recipient refuses to sign for the item, the return should be audio/video recorded.

802.8.2 DISCREPANCIES

The Shift Supervisor shall be notified whenever a person alleges that there is a shortage or discrepancy regarding his/her property. The Shift Supervisor will interview the person claiming

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the shortage. The Shift Supervisor shall ensure that a search for the alleged missing items is completed and shall attempt to prove or disprove the claim.

802.8.3 DISPUTED CLAIMS TO PROPERTY

Occasionally, more than one party may claim an interest in property being held by this department, and the legal rights of the parties cannot be clearly established. Such property shall not be released until one party has obtained a valid court order or establishes an undisputed right to the property.

All parties should be advised that their claims are civil. In extreme situations, legal counsel for this department should be contacted.

802.8.4 RELEASE OF FIREARMS IN STORAGE

The Property/Evidence Manager shall facilitate the release and return of a stored firearm to the individual or a responsible third party upon receipt of a court order requiring return of a firearm that has been held in storage at the Department or at a department-contracted storage facility (I.C. § 35-47-14-3; I.C. § 35-47-14-6; I.C. § 35-47-14-10).

802.9 DESTRUCTION OR DISPOSAL OF PROPERTY

All property not held for evidence in a pending criminal investigation or proceeding may be destroyed or disposed of in compliance with existing laws. The disposition of all property shall be entered on the digital record.

The following types of property shall be destroyed or disposed of in the manner and at the time prescribed by law, unless a different disposition is ordered by a court:

- Weapons or devices declared by law to be illegal to possess
- Controlled substances/narcotics or dangerous drugs declared by law to be illegal to possess

802.9.1 BIOLOGICAL EVIDENCE

The Property/Evidence Manager shall consult with the Captain of the Criminal Investigative Division and prosecutor prior to the destruction of any sexual assault kit.

Biological evidence shall be retained for a minimum of one year after the date the sample is placed in secure storage (I.C. § 16-21-8-10). or the expiration of any sentence imposed related to the evidence, whichever time period is greater. Following the retention period, notifications should be made by certified mail and should inform the recipient that the evidence will be destroyed after a date specified in the notice unless a motion seeking an order to retain the sample is filed and served on this department within 90 days. A record of all certified mail receipts shall be retained in the appropriate file. Any objection to, or motion regarding, the destruction of the biological evidence should be retained in the appropriate file and a copy forwarded to the Captain of Special Services.

Biological evidence related to a homicide shall be retained indefinitely and may only be destroyed with the written approval of the Chief of Police and the head of the applicable prosecutor's office.

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Biological evidence from an unsolved sexual assault should not be disposed of prior to expiration of the statute of limitations. Even after expiration of the applicable statute of limitations, the prosecutor shall be contacted for permission to dispose of the evidence.

802.9.2 BIOLOGICAL EVIDENCE FROM VIOLENT OFFENSE CASES

The Property/Evidence Manager is responsible for notifying the defendant and the defendant's attorney as set forth in I.C. § 35-33-5-5 when evidence related to a violent offense that could be subjected to DNA testing is removed from the Property and Evidence Section.

802.10 INSPECTIONS, INVENTORIES AND AUDITS OF THE PROPERTY AND EVIDENCE SECTION

The Captain of Special Services shall ensure that Property and Evidence Section operations and storage facilities are inspected for compliance with applicable policies and procedures, including periodic unannounced inspections.

The Captain of Special Services shall also ensure that random monthly audits are conducted as directed by the Chief of Police.

An annual inventory of the property and evidence room shall be completed. Any discrepancies shall be documented and forward to the Chief of Police.

802.10.1 CHANGE OF ASSIGNMENT

Whenever there is a change of assignment for any member with authorized access to the Property and Evidence Section, an inventory of all property shall be conducted to ensure that all property is accounted for and records are correct.

Records Division

803.1 PURPOSE AND SCOPE

This policy establishes the guidelines for the operational functions of the West Lafayette Police Department Records Division. The policy addresses department file access and internal requests for case reports.

803.2 POLICY

It is the policy of the West Lafayette Police Department to maintain department records securely, professionally and efficiently.

803.3 RESPONSIBILITIES

803.3.1 RECORDS MANAGER

The Chief of Police shall appoint and delegate certain responsibilities to a Records Manager. The Records Manager shall be directly responsible to the Captain of Special Services.

The responsibilities of the Records Manager include, but are not limited to:

- (a) Overseeing the efficient and effective operation of the Records Division.
- (b) Supervising, training and evaluating Records Division staff.
- (c) Maintaining and updating Records Division procedures. .
- (d) Ensuring compliance with established policies and procedures.
- (e) Supervising the access, use and release of protected information (see the Protected Information Policy).
- (f) Establishing security and access protocols for case reports designated as sensitive, where additional restrictions to access have been implemented. Sensitive reports may include, but are not limited to:
 - 1. Homicides
 - 2. Cases involving department members or public officials
 - 3. Any case where restricted access is prudent

803.3.2 RECORDS DIVISION

The responsibilities of the Records Division include, but are not limited to:

- (a) Maintaining a records management system for case reports.
 - 1. The records management system should include a process for numbering, identifying, tracking and retrieving case reports.
- (b) Entering case report information into the records management system.

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- (c) Providing members of the Department with access to case reports when needed for investigation or court proceedings.
- (d) Maintaining compliance with federal, state and local regulations regarding reporting requirements of crime statistics (I.C. § 10-13-2-6)..
- (e) Maintaining compliance with federal, state and local regulations regarding criminal history reports and auditing (I.C. § 10-13-2-6)..
- (f) Identifying missing case reports and notifying the responsible member's supervisor.

803.3.3 WARRANT AND WANTED PERSONS FILES

The Records Manager shall maintain procedures for establishing warrant service files. This includes:

- (a) The original copy of all warrants shall be maintained in the Dispatch Center
- (b) A photo copy of all warrants shall be maintained by the Records Division
- (c) The Dispatch Center shall enter all new warrants into NCIC/IDACS
- (d) The Records Division shall enter all new warrants into RMS
- (e) The Records Division shall verify all warrants are valid and data contained on the warrant is valid
- (f) The Dispatch Center shall clear/cancel warrants that are no longer active from NCIC/IDACS
- (g) The Records Division shall clear/cancel warrants that are no longer active from RMS
- (h) The IDACS Coordinator shall conduct an audit of all warrants on monthly basis

803.4 FILE ACCESS AND SECURITY

The security of files in the Records Division must be a high priority and shall be maintained as mandated by state or federal law. All case reports including, but not limited to, initial, supplemental, follow-up, evidence and any other reports related to a police department case, including criminal history records and publicly accessible logs, shall be maintained in a secure area within the Records Division, accessible only by authorized members of the Records Division. Access to case reports or files when Records Division staff is not available may be obtained through the Shift Supervisor.

803.4.1 COMPUTERIZED RECORDS

The Captain of Special Services is designated as the administrator of the computerized central records system and should develop security measures for the protection of computerized records maintained by the Records Division, including:

- (a) Restricted access to the computerized system with the use of passwords.
- (b) Physical protections for computers and/or servers.
- (c) Procedures for data-backup and recovery, if needed.

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803.5 CONFIDENTIALITY

Records Division staff has access to information that may be confidential or sensitive in nature. Records Division staff shall not access, view or distribute, or allow anyone else to access, view or distribute any record, file or report, whether in hard copy or electronic file format, or any other confidential, protected or sensitive information except in accordance with the Records Maintenance and Release and Protected Information policies and the Records Division procedure manual.

Records Maintenance and Release

804.1 PURPOSE AND SCOPE

This policy provides guidance on the maintenance and release of department records.

804.2 POLICY

The West Lafayette Police Department is committed to providing public access to records in a manner that is consistent with the Indiana Public Records Act (I.C. § 5-14-3-1 et seq.).

804.3 CAPTAIN OF SPECIAL SERVICES RESPONSIBILITIES

The responsibilities of the Captain of Special Services includes, but are not limited to:

- (a) Managing the records management system for the Department, including the retention, archiving, release and destruction of department public records.
 - 1. The retention and disposal of public records shall be in accordance with I.C. § 5-15-1-1 et seq. and the Indiana Archives and Records Administration (IARA) schedule for Public Safety Agencies.
- (b) Maintaining and updating the department records retention schedule, including:
 - 1. Identifying the minimum length of time the Department must keep records.
 - 2. Identifying the department division responsible for the original record.
- (c) Establishing rules regarding the inspection and copying of department public records as reasonably necessary for the protection of such records and to regulate any material interference with the regular discharge of the functions or duties of the Department and its members (I.C. § 5-14-3-7).
- (d) Identifying records or portions of records that are confidential under state or federal law and not open for inspection or copying.
- (e) Establishing rules regarding the processing of subpoenas for the production of records.
- (f) Ensuring the availability of a current schedule of fees for public records as allowed by law is available (I.C. § 5-14-3-8).
- (g) Ensuring a daily log is maintained that lists suspected crimes, accidents or complaints and makes available information relating to arrests, summons and jailed persons as required by I.C. § 5-14-3-5.

804.4 PROCESSING REQUESTS FOR PUBLIC RECORDS

Any department member who receives a request for records shall route the request to the Captain of Special Services.

804.4.1 REQUESTS FOR RECORDS

The processing of requests for records is subject to the following:

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- (a) All requests for public records shall be in writing or on a form supplied by the Department and shall identify with reasonable particularity the record being requested (I.C. § 5-14-3-3).
- (b) A written response shall be provided to the requester within seven days.
- (c) Within a reasonable time after the request, the Custodian of Records or the authorized designee shall make records or copies available to the requester as provided by I.C. § 5-14-3-3.
- (d) Copies of electronic data may be provided in the medium requested if it is compatible with the department's system (I.C. § 5-14-3-3).
- (e) The Department is not required to create records that do not exist.
- (f) When a record contains material with release restrictions and material that is not subject to release restrictions, the restricted material shall be redacted and the unrestricted material released (I.C. § 5-14-3-6).
 - 1. A copy of the redacted release should be maintained in the case file for proof of what was actually released and as a place to document the reasons for the redactions.

804.4.2 DENIALS

The denial of a written request for records shall (I.C. § 5-14-3-9):

- (a) Be made within seven days of receipt of the request.
- (b) Be in writing.
- (c) Include the reason for the denial.
- (d) Contain a citation to the specific authority that authorizes the denial.
- (e) Contain the name and position title of the person denying the request.

804.5 RELEASE RESTRICTIONS

Examples of release restrictions include:

- (a) Any personal identifying information, including an individual's photograph; Social Security and driver identification numbers; name, address, and telephone number; and medical or disability information that is contained in any driver's license record, motor vehicle record, or any department record, including traffic accident reports, is restricted except as authorized by the Department, and only when such use or disclosure is permitted or required by law to carry out a legitimate law enforcement purpose (18 USC § 2721; 18 USC § 2722; I.C. § 5-14-3-4).
- (b) Personnel files and files of applicants except for names; compensation; job title; business address and telephone number; job description; education and training background; previous work experience or dates of first and last employment of present or former members; information relating to the status of any formal charges against a member; and the factual basis for a disciplinary action in which final action has been taken and that resulted in the member being suspended, demoted, or discharged (I.C. § 5-14-3-4).

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1. Job titles and job descriptions of officers shall remain confidential (I.C. § 5-14-3-4.3).
 2. The home address, telephone number, and contact information of an officer shall remain confidential (I.C. § 5-14-3-4(b)(19)).
 3. If an officer is operating undercover, the name, compensation, business address and telephone number, education and training background, previous work experience, or dates of first employment shall also remain confidential.
- (c) Records that are either intra-agency/interagency advisories or deliberative material that are expressions of opinion or of a speculative nature and that are communicated for the purpose of making a decision (I.C. § 5-14-3-4).
 - (d) Work product of an attorney for the Department (I.C. § 5-14-3-4).
 - (e) Administrative or technical information that would jeopardize a record keeping or security system (I.C. § 5-14-3-4).
 - (f) The telephone number and address of a complainant contained in department records except if the address is the location of the suspected crime, infraction, accident, or complaint reported (I.C. § 5-14-3-4).
 - (g) Records requested by an offender that contain personal information about a correctional officer, law enforcement officer, judge, the victim of a crime, or a family member of any of the preceding (I.C. § 5-14-3-4).
 - (h) Certain law enforcement juvenile-related records (I.C. § 31-39-3-4).
 - (i) Investigatory records (I.C. § 5-14-3-2(i); I.C. § 5-14-3-4).
 - (j) Criminal intelligence information (I.C. § 5-14-3-2(c); I.C. § 5-14-3-4).
 - (k) Certain types of reports involving but not limited to child abuse and molestation (I.C. § 31-33-18-1; I.C. § 31-33-18-2) and endangered adult abuse (I.C. § 12-10-3-15).
 - (l) Personal identifying information submitted by a person to obtain or renew a license to carry a handgun, or information obtained by a federal, state, or local government entity in the course of an investigation concerning a person who applies to obtain or renew a license to carry a handgun (I.C. § 35-47-2-3).
 - (m) Audio, visual, or audiovisual recordings of law enforcement activities captured by a body-worn camera or MAV system (I.C. § 5-14-3-4):
 1. If disclosure of any law enforcement recording is required under I.C. § 5-14-3-5.1 or I.C. § 5-14-3-5.2, the Records Manager should ensure applicable portions are obscured as required, before releasing the recordings.
 - (n) A recording that has captured information about airport security, procedures, areas, or systems, unless there is approval by an appropriate public agency.
 - (o) A record assembled, prepared, or maintained to prevent, mitigate, or respond to an act of terrorism, including a record which, if released, would have a reasonable likelihood of threatening public safety by exposing a vulnerability of locations or structures to a terrorist attack (I.C. § 5-14-3-4(b)(19)).

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- (p) Any other information that may be appropriately denied by those records declared confidential by a rule adopted by the Department granted by statute, state statute, rules adopted by the Indiana Supreme Court, or federal law (I.C. § 5-14-3-4).

804.6 EXPUNGEMENT

Expungement orders received by the Department shall be reviewed for appropriate action by the Captain of Special Services. Records may include, but are not limited to, a record of arrest, investigation, detention or conviction.

804.7 TRAINING

All members authorized to manage, release or facilitate public access to department records shall complete a training program that includes identification of material appropriate for public access and the department systems and procedures guiding such release and access.

804.8 SECURITY BREACHES

Any member who becomes aware that any West Lafayette Police Department system has been subject to a cybersecurity incident should notify the Captain of Special Services as soon as practicable (I.C. § 4-13.1-1-1.5).

The Captain of Special Services should provide notice to all entities in the form and manner required by federal, state, and local law. Notice should be given as soon as practicable but not later than two business days after discovery (I.C. § 4-13.1-2-9).

Protected Information

805.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the access, transmission, release and security of protected information by members of the West Lafayette Police Department. This policy addresses the protected information that is used in the day-to-day operation of the Department and not the public records information covered in the Records Maintenance and Release Policy.

805.1.1 DEFINITIONS

Definitions related to this policy include:

Protected information - Any information or data that is collected, stored or accessed by members of the West Lafayette Police Department and is subject to any access or release restrictions imposed by law, regulation, order or use agreement. This includes all information contained in federal, state or local law enforcement databases that is not accessible to the public.

805.2 POLICY

Members of the West Lafayette Police Department will adhere to all applicable laws, orders, regulations, use agreements and training related to the access, use, dissemination and release of protected information.

805.3 RESPONSIBILITIES

The Captain of Special Services will coordinate the use of protected information. The responsibilities of this position include, but are not limited to:

- (a) Ensuring member compliance with this policy and with requirements applicable to protected information, including requirements for the National Crime Information Center (NCIC) system, National Law Enforcement Telecommunications System (NLETS), Bureau of Motor Vehicles (BMV) records and the Indiana Data and Communications System (IDACS).
- (b) Developing, disseminating and maintaining procedures that adopt or comply with the U.S. Department of Justice's current Criminal Justice Information Services (CJIS) Security Policy.
- (c) Developing, disseminating and maintaining any other procedures necessary to comply with any other requirements for the access, use, dissemination, release and security of protected information.
- (d) Developing procedures to ensure training and certification requirements are met.
- (e) Resolving specific questions that arise regarding authorized recipients of protected information.
- (f) Ensuring security practices and procedures are in place to comply with requirements applicable to protected information.

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805.4 RELEASE OR DISSEMINATION OF PROTECTED INFORMATION

Protected information may be released only to authorized recipients who have both a right to know and a need to know.

A member who is asked to release protected information that should not be released should refer the requesting person to the Captain of Special Services.

Unless otherwise ordered or when an investigation would be jeopardized, protected information maintained by the Department may generally be shared with authorized persons from other law enforcement agencies who are assisting in the investigation or conducting a related investigation. Any such information should be released through the Captain of Special Services

805.5 SECURITY OF PROTECTED INFORMATION

The Captain of Special Services shall oversee the security of protected information.

The responsibilities of this position include, but are not limited to:

- (a) Developing and maintaining security practices, procedures and training.
- (b) Ensuring federal and state compliance with the CJIS Security Policy and the requirements of any state or local criminal history records systems.
- (c) Establishing procedures to provide for the preparation, prevention, detection, analysis and containment of security incidents including computer attacks.
- (d) Tracking, documenting and reporting all breach of security incidents to the Chief of Police and appropriate authorities.

805.5.1 MEMBER RESPONSIBILITIES

Members accessing or receiving protected information shall ensure the information is not accessed or received by persons who are not authorized to access or receive it. This includes leaving protected information, such as documents or computer databases, accessible to others when it is reasonably foreseeable that unauthorized access may occur (e.g., on an unattended table or desk; in or on an unattended vehicle; in an unlocked desk drawer or file cabinet; on an unattended computer terminal).

Animal Control

806.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for interacting with domestic animals and responding to calls for service that involve domestic animals.

806.2 POLICY

It is the policy of the West Lafayette Police Department to be responsive to the needs of the community regarding animal-related issues. This includes enforcing local, state and federal laws relating to animals and appropriately resolving or referring animal-related problems, as outlined in this policy.

806.3 ANIMAL CONTROL RESPONSIBILITIES

Animal control services are generally the primary responsibility of the Neighborhood Resource Team

- (a) Animal-related matters during periods when Animal Control is available.
- (b) Ongoing or persistent animal nuisance complaints. Such complaints may be scheduled, if reasonable, for handling during periods that Animal Control is available for investigation and resolution.
- (c) Follow-up on animal-related calls, such as locating owners of injured animals.

806.4 MEMBER RESPONSIBILITIES

Members who respond to or assist with animal-related calls for service should evaluate the situation to determine appropriate actions to control the situation.

Due to the hazards of handling animals without proper training and equipment, responding members generally should not attempt to capture or pick up any animal, but should keep the animal under observation until the arrival of appropriate assistance.

Members may consider acting before the arrival of such assistance when:

- (a) There is a threat to public safety.
- (b) An animal has bitten someone. Members should take measures to confine the animal and prevent further injury.
- (c) An animal is creating a traffic hazard.
- (d) An animal is seriously injured.
- (e) The owner/handler of an animal has been arrested or is incapacitated. In such circumstances, the member should find appropriate placement for the animal.
 - 1. This is only necessary when the arrestee is expected to be in custody for a time period longer than would reasonably allow him/her to properly care for the animal.

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2. With the owner's consent, locating appropriate placement may require contacting relatives or neighbors to care for the animal.
3. If no person can be found or the owner does not or cannot give consent, the animal should be taken to a designated animal care facility.

806.5 ANIMAL CRUELTY COMPLAINTS

Laws relating to the cruelty to animals should be enforced, including but not limited to Abandonment or Neglect of Vertebrate Animals (I.C. § 35-46-3-7); Beating Vertebrate Animals (I.C. § 35-46-3-12); Domestic Violence Animal Cruelty (I.C. § 35-46-3-12.5); Purchase or Possession of Animals for Fighting Contests (I.C. § 35-46-3-8).

806.6 ANIMAL BITE REPORTS

Members investigating an animal bite should obtain as much information as possible for follow-up with the appropriate health or animal authorities. Efforts should be made to capture or otherwise have the animal placed under control. Members should attempt to identify and notify the owner of the final disposition of the animal.

806.7 STRAY DOGS

If the dog has a license or can otherwise be identified, the owner should be contacted, if possible. If the owner is contacted, the dog should be released to the owner and a citation may be issued, if appropriate. If a dog is taken into custody, it shall be transported to the appropriate shelter/holding pen.

Members shall provide reasonable treatment to animals in their care (e.g., food, water, shelter).

806.8 DANGEROUS ANIMALS

In the event responding members cannot fulfill a request for service because an animal is difficult or dangerous to handle, the Shift Supervisor will be contacted to determine available resources, including requesting the assistance of animal control services from an allied agency.

806.9 PUBLIC NUISANCE CALLS RELATING TO ANIMALS

Members should diligently address calls related to nuisance animals (e.g., barking dogs), as such calls may involve significant quality-of-life issues.

806.10 DECEASED ANIMALS

When a member becomes aware of a deceased animal, all reasonable attempts should be made to preliminarily determine if the death of the animal is related to criminal activity.

806.11 INJURED ANIMALS

When a member becomes aware of an injured domesticated animal, all reasonable attempts should be made to contact an owner or responsible handler. If an owner or responsible handler cannot be located, the animal should be taken to a designated animal care facility.

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806.12 DESTRUCTION OF ANIMALS

When it is necessary to use a firearm to euthanize a badly injured animal or stop an animal that poses an imminent threat to human safety, the Firearms Policy shall be followed. A badly injured animal shall only be euthanized with the approval of a supervisor.

806.13 DISEASED ANIMALS

Officers shall provide assistance, as requested to the Indiana State Board of Animal Health, the state veterinarian, a county veterinarian or an agent of the U.S. Department of Agriculture (I.C. § 15-17-19-1).

the Dispatch Center Procedure

807.1 PURPOSE AND SCOPE

The purpose of this procedure is to provide the Dispatch Center personnel guidelines in the performance of certain aspects related to 9-1-1 calls and other related processes and equipment.

807.2 INTERAGENCY COMMUNICATIONS

All interagency communications should be transmitted in one of the following methods:

- (a) Mutual two-way radio communications
- (b) Recorded telephone communications
- (c) State/NCIC computers
- (d) Approved alternate methods (e.g., facsimile, email, cellular phone)

807.3 MISDIALED OR ABANDONED 9-1-1 CALLS

Upon receiving a misdialed or abandoned 9-1-1 call, the dispatcher should, as applicable:

- (a) Attempt to re-establish contact with the caller.
- (b) Assign two officers, when practicable, to investigate the call if contact cannot be established with the caller.
- (c) Dispatch an officer to investigate any misdialed 9-1-1 telephone call, even if the person making the call advises the dispatcher that there is no emergency. In such a case, the dispatcher should not advise the caller that there will be an officer coming to that location to verify the situation.
- (d) Document all available information in the appropriate location.

807.4 MISDIRECTED EMERGENCY CALLS

- (a) Whenever a call is received for an emergency service that this department does not normally provide or is outside this department's jurisdiction, the dispatcher receiving the call shall evaluate the call and then exercise one or more of the following options, depending on the nature of the call:
 - 1. The caller will be transferred to the appropriate agency to handle the call while the dispatcher monitors the call to ensure that a good connection was made and to ascertain whether further assistance is needed.
 - 2. The dispatcher will collect all pertinent information and then contact the appropriate agency and relay the request.
- (b) Any emergency call received on a non-emergency number will be handled as a 9-1-1 call.
- (c) When misdirected, non-emergency calls are received by the Dispatch Center, a dispatcher should provide the caller with the telephone number of the appropriate service provider, if practicable.

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the Dispatch Center Procedure

807.5 RECORDING OF CALLS

All 9-1-1, telephone, and two-way radio traffic shall be recorded using equipment in accordance with the manufacture's manuals. The procedures for such recordings are as follows:

- (a) Recordings shall be retained in accordance with state or local laws.
- (b) Recordings should be securely retained using security protocols outlined in the manufacture's guidelines and will allow for immediate playback at dispatch positions to allow for dispatcher review of information.
- (c) The Dispatch Supervisor should approve all copies of recordings. All such copies shall be in accordance with the Records Maintenance and Release Policy.
- (d) Recordings reasonably believed to contain evidence shall be submitted to the Property and Evidence Section, in accordance with the protocols outlined in the Property and Evidence Section Policy.

807.6 EMERGENCY MEDICAL DISPATCH

- (a) Only a dispatcher trained in Emergency Medical Dispatch (EMD) should provide EMD.
- (b) EMD protocols should be established by the Association of Public-Safety Communications Officials, the emergency medical service provider for the jurisdiction, or an authorized EMD authority.
- (c) Guide cards will be available via booklets or software.

807.7 EXTERNAL SERVICES

the Dispatch Center shall maintain a list of authorized service providers and contact phone numbers or radio access for services such as fire suppression, ambulance or Emergency Medical Services, tow trucks, road/highway departments, or animal control.

807.8 PROTECTION OF EQUIPMENT

All equipment used to maintain continuous operation of the Dispatch Center shall be protected to meet the needs of the Department and have back-up power available. Alternative power sources shall be tested in accordance with manufacturer's recommendations.

Cybersecurity

808.1 PURPOSE AND SCOPE

The purpose of this procedure is to provide members guidelines and protocols to assist in the cybersecurity of computer systems and data of the West Lafayette Police Department.

808.2 ELECTRONIC DATA

808.2.1 DATA STORAGE

All electronic data will be stored in a manner consistent with the hardware or software manufacturer's recommendations.

808.2.2 DATA BACKUP

The IT Manager shall be responsible for:

- (a) Ensuring data on all computer systems are backed up on at least a daily basis.
- (b) Performing data backup using a dedicated server or system designed for that purpose.
 - 1. If backed up data is stored off-site, the data shall only be transmitted between the Department and the off-site facility on an encrypted virtual private network that is compliant with the current FBI CJIS Security Policy.

808.3 SECURITY AUDITS

On an annual basis the Captain of Special Services or the authorized designee shall perform an audit of the Department's RMS for all usernames and passwords to determine the following:

- (a) Only currently employed members have access
- (b) All users' access rights are for their specific duties and responsibilities

A violation of policy or discrepancy in access by any member shall be reported in writing as soon as practicable through the chain of command to the Chief of Police.

The Captain of Special Services shall report the findings of the security audit in writing to the Chief of Police

Chapter 9 - Custody

Temporary Custody of Adults

900.1 PURPOSE AND SCOPE

This policy provides guidelines to address the health and safety of adults taken into temporary custody by members of the West Lafayette Police Department for processing prior to being released or transferred to a housing or other type of facility.

Temporary custody of juveniles is addressed in the Temporary Custody of Juveniles Policy. Juveniles will not be permitted where adults in custody are being held.

Custodial searches are addressed in the Custodial Searches Policy.

900.1.1 DEFINITIONS

Definitions related to this policy include:

Holding cell/cell - Any locked enclosure for the custody of an adult or any other enclosure that prevents the occupants from being directly visually monitored at all times by a member of the Department.

Temporary custody - The period an adult is in custody at the West Lafayette Police Department prior to being released or transported to a housing or other type of facility.

900.2 POLICY

The West Lafayette Police Department is committed to releasing adults from temporary custody as soon as reasonably practicable, and to keeping adults safe while in temporary custody at the Department. Adults should be in temporary custody only for as long as reasonably necessary for investigation, processing, transfer or release.

900.3 GENERAL CRITERIA AND SUPERVISION

No adult should be in temporary custody for longer than six hours.

900.3.1 INDIVIDUALS WHO SHOULD NOT BE IN TEMPORARY CUSTODY

Individuals who exhibit certain behaviors or conditions should not be in temporary custody at the West Lafayette Police Department, but should be transported to a jail facility, a medical facility, or other type of facility as appropriate. These include:

- (a) Any individual who is unconscious or has been unconscious while being taken into custody or while being transported.
- (b) Any individual who has a medical condition, including pregnancy, that may require medical attention, supervision, or medication while in temporary custody.
- (c) Any individual who is seriously injured.
- (d) Individuals who are a suspected suicide risk (see the Involuntary Detentions Policy).
 - 1. If the officer taking custody of an individual believes that the individual may be a suicide risk, the officer shall ensure continuous direct supervision until evaluation, release, or a transfer to an appropriate facility is completed.

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- (e) Individuals who are obviously in crisis, as defined in the Crisis Intervention Incidents Policy.
- (f) Individuals who are under the influence of alcohol, a controlled substance or any substance to the degree that may require medical attention, or who have ingested any substance that poses a significant risk to their health, whether or not they appear intoxicated.
- (g) Any individual who has exhibited extremely violent or continuously violent behavior.
- (h) Any individual who has claimed, is known to be afflicted with, or displays symptoms of any communicable disease that poses an unreasonable exposure risk.
- (i) Any individual with a prosthetic or orthopedic device where removal of the device would be injurious to the individual's health or safety.

Officers taking custody of a person who exhibits any of the above conditions should notify a supervisor of the situation. These individuals should not be held in temporary custody at the Department unless they have been evaluated by a qualified medical or mental health professional, as appropriate for the circumstances.

900.4 INITIATING TEMPORARY CUSTODY

The officer responsible for an individual in temporary custody should evaluate the person for any apparent chronic illness, disability, vermin infestation, possible communicable disease or any other potential risk to the health or safety of the individual or others. The officer should specifically ask if the individual is contemplating suicide and evaluate him/her for obvious signs or indications of suicidal intent.

The officer should promptly notify the Shift Supervisor of any conditions that may warrant immediate medical attention or other appropriate action.

900.4.1 CONSULAR NOTIFICATION

Consular notification may be mandatory when certain foreign nationals are arrested. The Patrol Commander will ensure that the U.S. Department of State's list of countries and jurisdictions that require mandatory notification is readily available to department members. There should also be a published list of foreign embassy and consulate telephone and fax numbers, as well as standardized notification forms that can be transmitted and then retained for documentation. Prominently displayed signs informing foreign nationals of their rights related to consular notification should also be posted in areas used for the temporary custody of adults.

Department members assigned to process a foreign national shall:

- (a) Inform the individual, without delay, that he/she may have his/her consular officers notified of the arrest or detention and may communicate with them.
 - 1. This notification should be documented.
- (b) Determine whether the foreign national's country is on the U.S. Department of State's mandatory notification list.

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1. If the country is on the mandatory notification list, then:
 - (a) Notify the country's nearest embassy or consulate of the arrest or detention by fax or telephone.
 - (b) Tell the individual that this notification has been made and inform him/her without delay that he/she may communicate with consular officers.
 - (c) Forward any communication from the individual to his/her consular officers without delay.
 - (d) Document all notifications to the embassy or consulate and retain the faxed notification and any fax confirmation for the individual's file.
2. If the country is not on the mandatory notification list and the individual requests that his/her consular officers be notified, then:
 - (a) Notify the country's nearest embassy or consulate of the arrest or detention by fax or telephone.
 - (b) Forward any communication from the individual to his/her consular officers without delay.

Temporary Custody of Juveniles

901.1 PURPOSE AND SCOPE

This policy provides guidelines consistent with the Juvenile Justice and Delinquency Prevention Act for juveniles taken into temporary custody by members of the West Lafayette Police Department (34 USC § 11133).

901.1.1 DEFINITIONS

Definitions related to this policy include:

Juvenile family crisis - An unstable, difficult, or dangerous situation facing a juvenile related to the juvenile's family (e.g., domestic violence, divorce or separation, arrest, or incarceration of a parent).

Juvenile non-offender - An abused, neglected, dependent, or alien juvenile who may be legally held for his/her own safety or welfare. This also includes any juvenile who may have initially been contacted for an offense that would not subject an adult to arrest (e.g., fine-only offense) but was taken into custody for his/her protection or for purposes of reuniting the juvenile with a parent, guardian, or other responsible person.

Juvenile offender/delinquent - A juvenile 17 years of age or younger who is alleged to have committed an offense that would subject an adult to arrest (a non-status offense) (I.C. § 31-37-1-2). It also includes an offense for possession of a handgun (I.C. § 35-47-10-5; 28 CFR 31.303).

Non-secure custody - When a juvenile is held in the presence of an officer or other department member at all times and is not placed in a locked room, cell, or behind any locked doors. Juveniles in non-secure custody may be handcuffed but not to a stationary or secure object. Personal supervision through direct visual monitoring and audio two-way communication is maintained. Monitoring through electronic devices, such as video, does not replace direct visual observation.

Safety checks - Direct visual observation by a member of this department performed at random intervals, within time frames prescribed in this policy, to provide for the health and welfare of juveniles in temporary custody.

Secure custody - When a juvenile offender is held in a locked room, a set of rooms, or a cell. Secure custody also includes being physically secured to a stationary object.

Examples of secure custody include:

- (a) A juvenile left alone in an unlocked room within the secure perimeter of the adult temporary holding area.
- (b) A juvenile handcuffed to a rail.
- (c) A juvenile placed in a room that contains doors with delayed egress devices that have a delay of more than 30 seconds.
- (d) A juvenile being processed in a secure booking area when a non-secure booking area is available.

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- (e) A juvenile left alone in a secure booking area after being photographed and fingerprinted.
- (f) A juvenile placed in a cell within the adult temporary holding area, whether or not the cell door is locked.
- (g) A juvenile placed in a room that is capable of being locked or contains a fixed object designed for cuffing or restricting movement.

Short-term custody - Holding a juvenile for not more than six hours for non-status offenses (I.C. § 31-37-7-2).

Sight and sound separation - Located or arranged to prevent physical, visual, or auditory contact.

Status offender - A juvenile suspected of committing a criminal violation of the law that would not be a criminal violation but for the age of the offender. Examples may include running away, underage possession of tobacco, curfew violation, and truancy. A juvenile in custody on a court order or warrant based upon a status offense is also a status offender.

901.2 POLICY

The West Lafayette Police Department is committed to releasing juveniles from temporary custody as soon as reasonably practicable and to keeping juveniles safe while in temporary custody at the Department. Juveniles should be held in temporary custody only for as long as reasonably necessary for processing, transfer or release.

901.3 JUVENILES WHO SHOULD NOT BE HELD

Juveniles who exhibit certain behaviors or conditions should not be held at the West Lafayette Police Department. These include:

- (a) Unconsciousness or having been unconscious while being taken into custody or transported.
- (b) Serious injuries or a medical condition requiring immediate medical attention.
- (c) A suspected suicide risk or showing obvious signs of severe emotional or mental disturbance (see the Involuntary Detentions Policy).
 - 1. If the officer taking custody of a juvenile believes that he/she may be a suicide risk, the officer shall ensure continuous direct supervision until evaluation, release or transfer to an appropriate facility is completed.
- (d) Significant intoxication or showing signs of having ingested any substance that poses a significant risk to their health, whether or not they appear intoxicated.
- (e) Extremely violent or continuously violent behavior.
- (f) Afflicted with, or displaying symptoms of, a communicable disease that poses an unreasonable exposure risk.

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Officers taking custody of a juvenile exhibiting any of the above conditions should take reasonable steps to provide medical attention or mental health assistance and should notify a supervisor of the situation. These juveniles should not be held at the Department unless they have been evaluated by a qualified medical or mental health professional, as appropriate for the circumstances.

901.4 CUSTODY OF JUVENILES

Officers should take custody of a juvenile and temporarily hold the juvenile at the West Lafayette Police Department when there is no other lawful and practicable alternative to temporary custody. Refer to the Child Abuse Policy for additional information regarding detaining a juvenile who is suspected of being a victim.

The officer taking the juvenile into custody should notify a parent or legal guardian of the juvenile as soon as practicable. The juvenile should be taken directly to the Department, another approved location, or to the juvenile's home.

No juvenile should be held in temporary custody at the Department without authorization of the arresting officer's supervisor or the Shift Supervisor. Juveniles taken into custody shall be held in non-secure custody unless otherwise authorized by this policy.

Any juvenile taken into custody shall be released to the care of the juvenile's parent, legal guardian, or other responsible adult or transferred to a juvenile custody facility or to other authority as soon as practicable. In no event shall a juvenile be held beyond six hours from the time of the juvenile's entry into the Department (34 USC § 11133; I.C. § 31-37-7-2).

901.4.1 CUSTODY OF JUVENILE NON-OFFENDERS

Non-offenders taken into protective custody in compliance with the Child Abuse Policy should generally not be held at the West Lafayette Police Department. Custodial arrangements should be made for non-offenders as soon as reasonably possible. Juvenile non-offenders may not be held in secure custody (34 USC § 11133).

901.5 ADVISEMENTS

When a juvenile is taken into custody for an offense that would warrant the arrest of an adult, the officer shall notify the superintendent of the school district in which the juvenile is enrolled, or if the juvenile is enrolled in a private school, the chief administrative officer of the juvenile's school, within 48 hours. The officer should notify the school official of the reasons the juvenile was taken into custody, but may not disclose information that is confidential under state or federal law (I.C. § 31-37-4-3).

901.6 NO-CONTACT REQUIREMENTS

Sight and sound separation shall be maintained between all juveniles and adults while in custody at the West Lafayette Police Department (34 USC § 11133; I.C. § 31-37-7-2). There should also be sight and sound separation between non-offenders and juvenile or status offenders.

In situations where brief or accidental contact may occur (e.g., during the brief time a juvenile is being fingerprinted and/or photographed in booking), a member of the Department shall maintain a

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constant, immediate, side-by-side presence with the juvenile or the adult to minimize any contact. If inadvertent or accidental contact does occur, reasonable efforts shall be taken to end the contact.

901.7 USE OF RESTRAINT DEVICES

Juvenile offenders may be handcuffed in accordance with the Handcuffing and Restraints Policy. A juvenile offender may be handcuffed at the West Lafayette Police Department when the juvenile presents a heightened risk. However, non-offenders and status offenders should not be handcuffed unless they are combative or threatening.

901.7.1 PREGNANT JUVENILES

Juveniles who are known to be pregnant should be restrained in accordance with the Handcuffing and Restraints Policy.

901.8 INTERVIEWING OR INTERROGATING

No interview or interrogation of a juvenile should occur unless the juvenile has the apparent capacity to consent, and does consent, to an interview or interrogation. Also that an attorney, parent or guardian with no interest adverse to the child has been advised of the reason the juvenile has been taken into custody, and has consented to the interview or interrogation. The juvenile must also knowingly and voluntarily consent to the interview or interrogation (I.C. § 31-32-5-1).

901.8.1 RECORDING INTERROGATIONS

Custodial interrogations of juveniles that take place at the West Lafayette Police Department or other place of detention shall be audio and video recorded (Ind. Evid. R. 617; I.C. § 31-30.5-1-2). Audio-only recording is permitted when the interrogation occurs at a non-detention location (e.g., home, school) (I.C. § 31-30.5-1-3). Recordings shall be retained as required by I.C. § 31-30.5-1-4.

901.9 CASE REPORTS

Juvenile Detention/Arrest Reports

1. Should be completed using standard WLPD report format.
2. Once completed should be stamped with the word JUVENILE

Custodial Searches

902.1 PURPOSE AND SCOPE

This policy provides guidance regarding searches of individuals in custody. Such searches are necessary to eliminate the introduction of contraband, intoxicants or weapons into the West Lafayette Police Department facility. Such items can pose a serious risk to the safety and security of department members, individuals in custody, contractors and the public.

Nothing in this policy is intended to prohibit the otherwise lawful collection of evidence from an individual in custody.

902.1.1 DEFINITIONS

Definitions related to this policy include:

Custody search - An in-custody search of an individual and of his/her property, shoes and clothing, including pockets, cuffs and folds on the clothing, to remove all weapons, dangerous items and contraband.

Physical body cavity search - A search that includes a visual inspection and may include a physical intrusion into a body cavity. Body cavity means the stomach or rectal cavity of an individual, and the vagina of a female person.

Strip search - A search that requires an individual to remove or rearrange some or all of his/her clothing to permit a visual inspection of the underclothing, breasts, buttocks, anus or outer genitalia. This includes monitoring an individual who is changing clothes, where his/her underclothing, buttocks, genitalia or female breasts are visible.

902.2 POLICY

All searches shall be conducted with concern for safety, dignity, courtesy, respect for privacy and hygiene, and in compliance with policy and law to protect the rights of those who are subject to any search.

Searches shall not be used for intimidation, harassment, punishment or retaliation.

902.3 FIELD AND TRANSPORTATION SEARCHES

An officer should conduct a custody search of an individual immediately after his/her arrest, when receiving an individual from the custody of another, and before transporting a person who is in custody in any department vehicle.

Whenever practicable, a custody search should be conducted by an officer of the same sex as the person being searched. If an officer of the same sex is not reasonably available, a witnessing officer should be present during the search.

902.4 STRIP SEARCHES

No individual in temporary custody at any West Lafayette Police Department facility shall be subjected to a strip search unless there is reasonable suspicion based upon specific and

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articulable facts to believe the individual has a health condition requiring immediate medical attention or is concealing a weapon or contraband (210 I.A.C. 3-1-13). Factors to be considered in determining reasonable suspicion include, but are not limited to:

- (a) The detection of an object during a custody search that may be a weapon or contraband and cannot be safely retrieved without a strip search.
- (b) Circumstances of a current arrest that specifically indicate the individual may be concealing a weapon or contraband.
 - 1. A felony arrest charge or being under the influence of a controlled substance should not suffice as reasonable suspicion absent other facts.
- (c) Custody history (e.g., past possession of contraband while in custody, assaults on department members, escape attempts).
- (d) The individual's actions or demeanor.
- (e) Criminal history (i.e., level of experience in a custody setting).

No transgender or intersex individual shall be searched or examined for the sole purpose of determining the individual's genital status. If the individual's genital status is unknown, it may be determined during conversations with the person, by reviewing medical records, or as a result of a broader medical examination conducted in private by a medical practitioner (28 CFR 115.115).

902.4.1 STRIP SEARCH PROCEDURES

Strip searches at West Lafayette Police Department facilities shall be conducted as follows (28 CFR 115.115):

- (a) Authorization from the Shift Supervisor shall be obtained prior to the strip search.
- (b) All members involved with the strip search shall be of the same sex as the individual being searched, unless the search is conducted by a medical practitioner.
- (c) All strip searches shall be conducted in a professional manner under sanitary conditions and in a secure area of privacy so that the search cannot be observed by those not participating in the search. The search shall not be reproduced through a visual or sound recording.
- (d) Whenever possible, a second member of the same sex should also be present during the search, for security and as a witness to the finding of evidence.
- (e) Members conducting a strip search shall not touch the breasts, buttocks or genitalia of the individual being searched.
- (f) The primary member conducting the search shall prepare a written report to include:
 - 1. The facts that led to the decision to perform a strip search.
 - 2. The reasons less intrusive methods of searching were not used or were insufficient.

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3. The name of the individual who was searched.
 4. The name and sex of the members who conducted the search.
 5. The name, sex and role of any person present during the search.
 6. The time and date of the search.
 7. The place at which the search was conducted.
 8. A list of the items, if any, that were recovered.
 9. The facts upon which the member based his/her belief that the individual was concealing a weapon or contraband.
- (g) No member should view an individual's private underclothing, buttocks, genitalia or female breasts while that individual is performing bodily functions or changing clothes, unless he/she otherwise qualifies for a strip search. However, if serious hygiene or health issues make it reasonably necessary to assist the individual with a shower or a change of clothes, a supervisor should be contacted to ensure reasonable steps are taken to obtain the individual's consent and/or otherwise protect his/her privacy and dignity.

902.4.2 SPECIAL CIRCUMSTANCE FIELD STRIP SEARCHES

A strip search may be conducted in the field only with Shift Supervisor authorization and only in exceptional circumstances, such as when:

- (a) There is probable cause to believe that the individual is concealing a weapon or other dangerous item that cannot be recovered by a more limited search.
- (b) There is probable cause to believe that the individual is concealing controlled substances or evidence that cannot be recovered by a more limited search, and there is no reasonable alternative to ensure the individual cannot destroy or ingest the substance during transportation.

These special-circumstance field strip searches shall only be authorized and conducted under the same restrictions as the strip search procedures in this policy.

902.5 PHYSICAL BODY CAVITY SEARCH

Physical body cavity searches shall be subject to the following (210 I.A.C. 3-1-13):

- (a) No individual shall be subjected to a physical body cavity search without approval of the Shift Supervisor and only upon a search warrant. A copy of any search warrant and the results of the physical body cavity search shall be included with the related reports and made available, upon request, to the individual or authorized representative (except for those portions of the warrant ordered sealed by a court).
- (b) Only medical personnel may conduct a physical body cavity search.

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- (c) Except for the medical personnel conducting the search, persons present must be of the same sex as the individual being searched. Only the necessary department members needed to maintain the safety and security of the medical personnel shall be present.
- (d) Privacy requirements, including restricted touching of body parts and sanitary condition requirements, are the same as required for a strip search.
- (e) All such searches shall be documented, including:
 - 1. The facts that led to the decision to perform a physical body cavity search of the individual.
 - 2. The reasons less intrusive methods of searching were not used or were insufficient.
 - 3. The Shift Supervisor's approval.
 - 4. A copy of the search warrant.
 - 5. The time, date and location of the search.
 - 6. The medical personnel present.
 - 7. The names, sex and roles of any department members present.
 - 8. Any contraband or weapons discovered by the search.

Chapter 10 - Personnel

Performance Evaluations

1000.1 PURPOSE AND SCOPE

This policy provides guidelines for the West Lafayette Police Department performance evaluation system.

1000.2 POLICY

The West Lafayette Police Department shall use a performance evaluation system to measure, document, and recognize work performance. The performance evaluation will serve as an objective guide for the recognition of good work and the development of a process for improvement.

The Department evaluates employees in a nondiscriminatory manner based upon job-related factors specific to the employee's position, without regard to actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law.

[See attachment: Police Officer 6 Month Performance Evaluation.pdf](#)

[See attachment: Civilian 6 Months Performance Evaluation.pdf](#)

[See attachment: Civilian Manager 6 Month Performance Evaluation.pdf](#)

1000.3 EVALUATION FREQUENCY

Supervisors shall ensure that all employees they supervise are evaluated semi annually.

Performance Evaluations shall be conducted for Police and Civilian Employees for the following periods:

1. January 1 through June 30
2. July 1 through December 31

The Chief may require performance evaluations for special circumstances or other time periods.

1000.4 EVALUATION PROCESS

Supervisors should meet with the employees they supervise at the beginning of the evaluation period to discuss expectations and establish performance standards. Each supervisor should discuss the tasks of the position, standards of expected performance and the evaluation criteria with each employee.

Assessment of an employee's job performance is an ongoing process. Continued coaching and feedback provides supervisors and employees with opportunities to correct performance issues as they arise and to acknowledge good work. Periodic discussions with the employee during the course of the evaluation period are encouraged. Supervisors should document all discussions in the prescribed manner.

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Performance evaluations cover a specific period and should be based upon documented performance dimensions that are applicable to the duties and authorities granted to the employee during that period. Evaluations should be completed by each employee's immediate supervisor. Other supervisors directly familiar with the employee's performance during the rating period should be consulted by the evaluating supervisor for input. As a general guideline evaluations should be conducted as indicated:

1. The Chief of Police shall evaluate the Deputy Chief of Police.
2. The Deputy Chief of Police shall evaluate the Captain of Patrol, the Special Services Bureau Captain, the Captain of Criminal Investigation Division, and the Office Manager.
3. The Captain of Patrol shall evaluate the Patrol Lieutenants, the Code Enforcement Supervisor and the Head Dispatcher.
4. The Captain of Special Services Bureau shall evaluate all employees assigned to the Special Services Division.
5. The Criminal Investigation Division Captain shall evaluate all personnel assigned to the Criminal Investigation Division.

Once the direct supervisor completes the evaluation it shall be forward to the Captain of their respective division and the Deputy Chief for review prior to being discussed with and issued to the employee.

All supervisors shall receive training on performance evaluations within one year of a supervisory appointment. This training will be conducted by the Chief of Police or his designee.

1000.5 EVALUATION INTERVIEW

Supervisors shall complete the evaluation, to include a private discussion of the results with the employee concerned, within thirty-one (31) days following the end of the evaluation period, absent extraordinary circumstances.

The supervisor should discuss the evaluation ratings and respond to any questions the employee may have. The supervisor should provide relevant counseling regarding advancement, specialty positions and training opportunities. Any performance areas in need of improvement and goals for reaching the expected level of performance should be identified and discussed.

The supervisor and employee will sign and date the evaluation. A signature is not a confirmation of agreement, but acknowledgement that the process was completed. Once completed, the supervisor shall forward the evaluation to the division Captain for review and file.

1000.6 APPEAL

The employee shall retain the right to appeal the Performance Evaluation Report to the Merit Commission. An appeal may be made in written form to the Merit Commission within 10 days after the initial evaluation meeting.

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After the Merit Commission's review, the Performance Evaluation Reports shall be forwarded to the Chief and maintained in the employee's Department personnel file.

1000.7 PROGRESSIVE DISCIPLINE

PROGRESSIVE DISCIPLINE (FAILURE TO MEET PERFORMANCE GUIDELINES):

All employees are encouraged to exceed minimally acceptable performance levels. However, considerations must be made for those employees who fail, or refuse, to perform their duties at a minimally acceptable level. This policy is written to establish the minimum standard for performance.

1. A total rating score of 5 or less for any evaluation period shall be considered substandard. A score of 1 in any individual rating category shall be considered unacceptable. A score of 2 or less in 3 or more categories shall be considered substandard. In all three cases, the employee shall be placed at Step 1 of the progressive discipline procedure.
2. The employee shall remain at Step 1 of the progressive discipline procedure until the next evaluation period has been completed. If the employee's performance has improved to a satisfactory level after the end of the next evaluation period, no further action shall be taken and the employee will be removed from the progressive discipline procedure.
3. If the employee fails to meet the accepted standards after having been placed in Step 1 of the progressive discipline policy and has not improved to a satisfactory level after the next evaluation period, the employee shall be placed at Step 2 of the progressive discipline procedure. The employee who continues performing at a substandard level shall continue through the steps as they are outlined below.
4. An employee may also be subjected to disciplinary action outside the progressive discipline procedures, up to and including termination, in accordance with the policies of the City of West Lafayette, Merit Commission, and this Department.

Whenever possible, guidance shall be available for employees not meeting the standards, in an effort to assist them in improving their performance to an acceptable level.

A. (Step #1)

1. Counsel non-compliant employees and suggest methods of performance improvement.
 - a. Explain the required performance levels.
 - b. Offer suggestions for improved performance.
 - c. Advise the employee that his/her performance shall be monitored and will be evaluated again in six months. If performance is acceptable at that time, no further action shall be required. If the employee's performance

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is substandard during any of the six monthly periods, the employee shall progress to Step #2 of the progressive discipline procedure.

2. Non-compliant employee response: The non-compliant employee must submit a letter in writing, stating:

- a. An awareness of failure to meet acceptable performance guidelines.
- b. What he/she believes to be the cause of his/her failure to perform at an acceptable level.
- c. What corrective action is anticipated to improve his/her performance.

3. Determine whether a legitimate obstacle exists that may be preventing the employee from performing as required. Appropriate action shall be taken to reasonably accommodate disabilities if an officer can perform the essential functions of his/her job with or without reasonable accommodation.

B. (Step #2)

1. The employee shall be counseled by the Patrol Division Commander or the Chief's designee concerning his/her failure to meet acceptable standards. The Patrol Division Commander or Chief's designee shall:

a. Attempt to determine whether a legitimate obstacle exists that may be preventing the employee from performing as required. Appropriate action shall be taken to reasonably accommodate disabilities if an officer can perform the essential functions of his/her job with or without reasonable accommodation.

b. Advise the employee that for the next three months:

- 1) He/she shall be required to submit daily activity sheets to the shift commander, as a method to track daily performance.
- 2) Performance shall be closely monitored and the shift commander shall complete monthly evaluation forms during the period.
- 3) If the employee fails to meet the expected performance guidelines at any time during the extended period, the employee shall be assigned to the remedial training program.
- 4) The employee shall not be permitted to participate in any off-duty employment including law enforcement-related projects and part-time work.

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5) If the employee is successful in meeting the accepted minimum performance standard, he/she shall be returned to Step #1 of the progressive discipline procedure.

c. Have the shift commander monitor the performance of the employee and complete monthly evaluation forms.

C. (Step #3) Remedial Training Program

1. Employees failing to maintain an acceptable performance level after the opportunity to improve performance in Steps #1 and #2 shall be assigned to the remedial training program.

a. The purpose of remedial training is to provide a change of environment, to refresh the non-compliant employee on proper job performance techniques, and to ensure the employee is able to satisfactorily perform the essential functions of the job with or without a reasonable accommodation.

b. The Chief of Police or the Chief's designee shall establish the period of remedial training.

c. The non-compliant employee shall be assigned to an instructor or shift commander, on a shift determined by the Chief of Police or the Chief's designee.

d. Employees who successfully complete remedial training, shall return to Step #1 status.

e. Employees who do not successfully complete the remedial training program within the specified time shall be subject to disciplinary action, up to and including termination.

Reporting of Arrests, Convictions and Court Orders

1001.1 PURPOSE AND SCOPE

The purpose of this policy is to describe the notification requirements and procedures that members must follow when certain arrests, convictions and court orders restrict their ability to perform the official duties and responsibilities of the West Lafayette Police Department. This policy will also describe the notification requirements and procedures that certain retired officers must follow when an arrest, conviction or court order disqualifies them from possessing a firearm.

1001.2 POLICY

The West Lafayette Police Department requires disclosure of member arrests, convictions and certain court orders to maintain the high standards, ethics and integrity in its workforce, and to ensure compatibility with the duties and responsibilities of the Department.

1001.3 DOMESTIC VIOLENCE CONVICTIONS AND COURT ORDERS

Federal and Indiana law prohibit individuals convicted of certain offenses and individuals subject to certain court orders from lawfully possessing firearms. Such convictions and court orders often involve allegations of the use or attempted use of force, or threatened use of a weapon on any individual in a domestic relationship (e.g., spouse, cohabitant, parent, child) (18 USC § 922; I.C. § 35-47-4-6; I.C. § 34-26-5-9; I.C. § 35-47-4-6.5).

All members and retired officers with identification cards issued by the Department are responsible for ensuring that they have not been disqualified from possessing firearms by any such conviction or court order, and shall promptly report any such conviction or court order to a supervisor, as provided in this policy.

1001.4 OTHER CRIMINAL CONVICTIONS AND COURT ORDERS

Persons convicted of committing or attempting to commit a serious violent felony may not possess a firearm (I.C. § 35-47-4-5).

While legal restrictions may or may not be imposed by statute or by the courts upon conviction of any criminal offense, criminal conduct by members of this department may be inherently in conflict with law enforcement duties and the public trust, and shall be reported as provided in this policy.

1001.5 REPORTING

All members and all retired officers with identification cards issued by the Department shall immediately notify their supervisors (retired officers should immediately notify the Shift Supervisor or the Chief of Police) in writing of any past or current criminal detention, arrest, charge or conviction in any state or foreign country, regardless of whether the matter was dropped or rejected, is currently pending or is on appeal, and regardless of the penalty or sentence, if any.

All members and all retired officers with identification cards issued by the Department shall immediately notify their supervisors (retired officers should immediately notify the Shift Supervisor

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or the Chief of Police) in writing if they become the subject of a domestic violence-related order or any court order that prevents the member or retired officer from possessing a firearm or requires suspension or revocation of applicable Indiana Law Enforcement Training Board certification.

Any member whose criminal arrest, conviction or court order restricts or prohibits that member from fully and properly performing his/her duties, including carrying a firearm, may be disciplined. This includes, but is not limited to, being placed on administrative leave, reassignment and/or termination. Any effort to remove such disqualification or restriction shall remain entirely the responsibility of the member, on his/her own time and at his/her own expense.

Any member failing to provide prompt written notice pursuant to this policy shall be subject to discipline, up to and including termination.

Retired officers may have their identification cards rescinded or modified, as may be appropriate.

Drug- and Alcohol-Free Workplace

1002.1 PURPOSE AND SCOPE

The purpose of this policy is to establish clear and uniform guidelines regarding drugs and alcohol in the workplace (41 USC § 8103).

1002.2 POLICY

It is the policy of the West Lafayette Police Department to provide a drug- and alcohol-free workplace for all members (I.C. § 22-9-5-24).

1002.3 GENERAL GUIDELINES

Alcohol and drug use in the workplace or on department time can endanger the health and safety of department members and the public.

Members who have consumed an amount of an alcoholic beverage or taken any medication, or combination thereof, that would tend to adversely affect their mental or physical abilities shall not report for duty. Affected members shall notify the appropriate supervisor as soon as the member is aware that the member will not be able to report to work. If the member is unable to make the notification, every effort should be made to have a representative contact the supervisor in a timely manner. If the member is adversely affected while on-duty, the member shall be immediately removed and released from work (see the Work Restrictions section in this policy).

1002.3.1 USE OF MEDICATIONS

Members should not use any medications that will impair their ability to safely and completely perform their duties. Any member who is medically required or has a need to take any such medication shall report that need to the member's immediate supervisor prior to commencing any on-duty status.

1002.3.2 CANNABIS

Possession, use, or being under the influence of cannabis is prohibited.

1002.4 MEMBER RESPONSIBILITIES

Members shall report for work in an appropriate mental and physical condition. Members are prohibited from purchasing, manufacturing, distributing, dispensing, possessing or using controlled substances or alcohol on department premises or on department time (41 USC § 8103). The lawful possession or use of prescribed medications or over-the-counter remedies is excluded from this prohibition.

Members who are authorized to consume alcohol as part of a special assignment shall not do so to the extent of impairing on-duty performance.

Members shall notify a supervisor immediately if they observe behavior or other evidence that they believe demonstrates that a fellow on-duty member is impaired due to drug or alcohol use.

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Members are required to notify their immediate supervisors of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction (41 USC § 8103).

1002.5 EMPLOYEE ASSISTANCE PROGRAM

There may be available a voluntary employee assistance program to assist those who wish to seek help for alcohol and drug problems (41 USC § 8103). Insurance coverage that provides treatment for drug and alcohol abuse also may be available. Employees should contact the Human Resources Department, their insurance providers or the employee assistance program for additional information. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to performance problems.

1002.6 WORK RESTRICTIONS

If a member informs a supervisor that he/she has consumed any alcohol, drug or medication that could interfere with a safe and efficient job performance, the member may be required to obtain clearance from his/her physician before continuing to work.

If the supervisor reasonably believes, based on objective facts, that a member is impaired by the consumption of alcohol or other drugs, the supervisor shall prevent the member from continuing work and shall ensure that he/she is safely transported away from the Department.

1002.7 SCREENING TESTS

A supervisor may require an employee to submit to a screening under any the following circumstances:

- (a) The supervisor reasonably believes, based upon objective facts, that the employee is under the influence of alcohol or drugs that are impairing his/her ability to perform duties safely and efficiently.
- (b) The employee discharges a firearm in the performance of his/her duties (excluding training or authorized euthanizing of an animal).
- (c) The employee discharges a firearm issued by the Department while off-duty, resulting in injury, death or substantial property damage.
- (d) The employee drives a motor vehicle in the performance of his/her duties and becomes involved in an incident that results in bodily injury, death or substantial damage to property.

1002.7.1 SUPERVISOR RESPONSIBILITIES

The supervisor shall prepare a written record documenting the specific facts that led to the decision to require the test, and shall inform the employee in writing of the following:

- (a) The test will be given to detect either alcohol or drugs, or both.
- (b) The result of the test is not admissible in any criminal proceeding against the employee.

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- (c) The employee may refuse the test, but refusal may result in dismissal or other disciplinary action.

1002.7.2 DISCIPLINE

An employee may be subject to disciplinary action if he/she:

- (a) Fails or refuses to submit to a screening test.
- (b) After taking a screening test that indicates the presence of a controlled substance, fails to provide proof, within 72 hours after being requested, that he/she took the controlled substance as directed, pursuant to a current and lawful prescription issued in his/her name.

1002.8 COMPLIANCE WITH THE DRUG-FREE WORKPLACE ACT

No later than 30 days following notice of any drug statute conviction for a violation occurring in the workplace involving a member, the Department will take appropriate disciplinary action, up to and including dismissal, and/or requiring the member to satisfactorily participate in a drug abuse assistance or rehabilitation program (41 USC § 8104).

1002.9 CONFIDENTIALITY

The Department recognizes the confidentiality and privacy due to its members. Disclosure of any information relating to substance abuse treatment, except on a need-to-know basis, shall only be with the express written consent of the member involved or pursuant to lawful process.

The written results of any screening tests and all documents generated by the employee assistance program are considered confidential medical records and shall be maintained in the employee's medical file in accordance with the Personnel Records Policy.

Sick Leave

1003.1 PURPOSE AND SCOPE

This policy provides general guidance regarding the use and processing of sick leave. The accrual of sick leave for eligible employees is detailed in the City personnel manual.

This policy is not intended to cover all types of sick or other leaves. For example, employees may be entitled to additional paid or unpaid leave for certain family and medical reasons as provided for in the Family and Medical Leave Act (FMLA) (29 USC § 2601 et seq.) the Indiana Organ or Bone Marrow Donor Acts (I.C. § 4-15-16-7; I.C. 4-15-16-8)

1003.2 POLICY

This department realizes that on occasion an employee may be unable to report for duty due to an illness or injury. Furthermore, this department realizes that due to the unpredictable nature of activities an employee may have to become involved in, he/she may become injured and require an extended sick leave to recuperate. This policy also provides for and encourages an employee to, with his/her physician's approval, return to duty on limited duties (Level 2) or light duties (Level 3).

1003.3 USE OF SICK LEAVE

When an employee is unable to report for duty due to an illness or injury:

1. The employee shall notify his/her supervisor not less than one hour prior to his/her scheduled tour of duty.

a) The employee shall advise his/her supervisor of the specific reason he/she is unable to report for duty.

b) The employee shall give an estimate as to when he/she should be able to return to duty.

c) A family member shall make the proper notification if the employee is unable to do so.

d) If the illness or injury is duty related, the appropriate forms shall be completed in compliance with the policy regarding Workers' Compensation forms and reporting.

e) If the employee is unable to report for duty for three or more consecutive scheduled work days, the employee shall present his/her supervisor with a note from his/her Physician explaining the illness or injury, and the employee shall present a "Level of Return to Duty" form signed by his/her Physician when returning to duty. The Physician should also provide an estimation regarding the length of time necessary for recuperation.

(1) If the employee is unable to report for duty for more than three consecutive scheduled work days, the employee or his/her designee shall notify the Chief of Police in writing. The Chief of Police may then, at his/her discretion, place the employee on Extended Paid Sick Leave.

2. The employee shall be prohibited from participating in any employment outside the Police Department.

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[See attachment: Level of Duty January 2018.pdf](#)

1003.4 ACCOUNTING OF SICK LEAVE

By policy of the Department, as approved by the Board of Public Works and Safety, accounting procedure shall include:

- a) Accumulated overtime earned within the same 28-day pay period will be applied towards the hours the Officer is off for sick time. However, certain details may be specified as protected details by the Chief of Police or Deputy Chief of Police, which are not subject to having the overtime applied towards sick time.
- b) While off on sick time, Officers will receive full pay and benefits per policy of the Department, as approved by the Board of Public Works and Safety.

Civilian personnel employed by the West Lafayette Police Department shall follow the guidelines set forth in Section 21.01-21.05 of the West Lafayette Personnel Manual.

1003.5 EXTENDED PAID SICK LEAVE

1. When an Officer of the West Lafayette Police Department becomes ill or injured, and the illness or injury requires an extended paid sick leave, the Chief of Police is to be notified in writing. The extended paid sick leave may extend for a period of up to 45 days. However, the extended sick leave may be extended for a period of up to 6 months if the illness or injury is duty related.

2. Civilian personnel employed by the City of West Lafayette Police Department shall follow the guidelines set forth in Section 23.01-23.11 of the West Lafayette Personnel Manual.

1003.6 ILLNESSES AND INJURIES AFFECTING JOB PERFORMANCE AND DUTY LIMITATIONS

Whenever an employee has an illness or injury which will, or can affect his/her job performance, or places limits on duties he/she can perform:

- a) The employee must immediately notify his/her supervisor of the situation in writing.
- b) The employee must obtain a completed "Return to Level of Duty" form from a physician, and forward the form to his/her supervisor. The supervisor will forward the form to the Captain of Patrol.
- c) The employee will be responsible for keeping his/her supervisor apprised of his/her status until they are placed back at "level 1" by a physician on the "Return to Level of Duty" form. The supervisor will forward all updates to the Captain of Patrol.

At the discretion of the Chief of Police or his/her designee, the department may provide Limited Duty (Level 2) or Light Duty (Level 3) work.

1003.7 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors include, but are not limited to:

- (a) Monitoring and regularly reviewing the attendance of those under their command to ensure that the use of sick leave and absences are consistent with this policy.

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- (b) Addressing absences and sick leave use in the member's performance evaluation when excessive or unusual use has
 - 1. Negatively affected the member's performance or ability to complete assigned duties.
 - 2. Negatively affected police department operations.
- (c) When appropriate, counseling members regarding excessive absences and/or use of sick leave.
- (d) Referring eligible members to an available employee assistance program when appropriate.

Communicable Diseases

1004.1 PURPOSE AND SCOPE

This policy provides general guidelines to assist in minimizing the risk of department members contracting and/or spreading communicable diseases.

This policy also addresses the requirement that the West Lafayette Police Department have a policy on communicable diseases and provide related training (I.C. § 16-41-11-6).

1004.1.1 DEFINITIONS

Definitions related to this policy include:

Communicable disease - A human disease caused by microorganisms that are present in and transmissible through human blood, bodily fluid, tissue, or by breathing or coughing. These diseases commonly include but are not limited to hepatitis B virus (HBV), HIV, and tuberculosis.

Exposure - When an eye, mouth, mucous membrane, or non-intact skin comes into contact with blood or other potentially infectious materials, or when these substances are injected or infused under the skin; when an individual is exposed to a person who has a disease that can be passed through the air by talking, sneezing or coughing (e.g., tuberculosis), or the individual is in an area that was occupied by such a person. Exposure only includes those instances that occur due to a member's position at the West Lafayette Police Department (see the exposure control plan for further details to assist in identifying whether an exposure has occurred).

1004.2 POLICY

The West Lafayette Police Department is committed to providing a safe work environment for its members. Members should be aware that they are ultimately responsible for their own health and safety.

1004.3 EXPOSURE PREVENTION AND MITIGATION

1004.3.1 GENERAL PRECAUTIONS

All members are expected to use good judgment and follow training and procedures related to mitigating the risks associated with communicable disease. This includes, but is not limited to (I.C. § 16-41-11-4):

- (a) Stocking disposable gloves, antiseptic hand cleanser, CPR masks or other specialized equipment in the work area of department vehicle, as applicable.
- (b) Wearing department-approved disposable gloves when contact with blood, other potentially infectious materials, mucous membranes and non-intact skin can be reasonably anticipated.
- (c) Washing hands immediately or as soon as feasible after removal of gloves or other PPE.

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- (d) Treating all human blood and bodily fluids/tissue as if it is known to be infectious for a communicable disease.
- (e) Using an appropriate barrier device when providing CPR.
- (f) Using a face mask or shield if it is reasonable to anticipate an exposure to an airborne transmissible disease.
- (g) Decontaminating non-disposable equipment (e.g., flashlight, control devices, clothing and portable radio) as soon as possible if the equipment is a potential source of exposure.
 - 1. Clothing that has been contaminated by blood or other potentially infectious materials shall be removed immediately or as soon as feasible and stored/decontaminated appropriately.
- (h) Handling all sharps and items that cut or puncture (e.g., needles, broken glass, razors, knives) cautiously and using puncture-resistant containers for their storage and/or transportation.
- (i) Avoiding eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses where there is a reasonable likelihood of exposure.
- (j) Disposing of biohazardous waste appropriately or labeling biohazardous material properly when it is stored.

1004.3.2 IMMUNIZATIONS

Members who could be exposed to HBV due to their positions may receive the HBV vaccine and any routine booster at no cost.

All department employees shall be offered an education program, an opportunity to be screened for previous exposure, and vaccinations to Hepatitis "B" Virus.

1004.4 POST EXPOSURE

1004.4.1 INITIAL POST-EXPOSURE STEPS

Members who experience an exposure or suspected exposure shall:

- (a) Begin decontamination procedures immediately (e.g., wash hands and any other skin with soap and water, flush mucous membranes with water).
- (b) Obtain medical attention as appropriate.
- (c) Notify a supervisor as soon as practicable but in no case more than 24 hours after the exposure (I.C. § 16-41-10-2).

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1004.4.2 REPORTING REQUIREMENTS

The supervisor on-duty shall investigate every exposure or suspected exposure that occurs as soon as possible following the incident. The supervisor shall ensure the following information is documented:

- (a) Name of the member exposed
- (b) Date and time of the incident
- (c) Location of the incident
- (d) Potentially infectious materials involved and the source of exposure (e.g., identification of the person who may have been the source)
- (e) Work being done during exposure
- (f) How the incident occurred or was caused
- (g) PPE in use at the time of the incident
- (h) Actions taken post-event (e.g., clean-up, notifications)

The supervisor shall advise the member that disclosing the identity and/or infectious status of a source to the public or to anyone who is not involved in the follow-up process is prohibited. The supervisor should complete the incident documentation in conjunction with other reporting requirements that may apply (see the Work-Related Illness and Injury Reporting and Illness and Injury Prevention policies).

1004.4.3 MEDICAL CONSULTATION, EVALUATION AND TREATMENT

Department members shall have the opportunity to have a confidential medical evaluation immediately after an exposure and follow-up evaluations as necessary.

The Chief of Police or his designee should request a written opinion/evaluation from the treating medical professional that contains only the following information:

- (a) Whether the member has been informed of the results of the evaluation.
- (b) Whether the member has been notified of any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment.

1004.4.4 SOURCE TESTING

Testing a person for communicable diseases when that person was the source of an exposure should be done when it is desired by the exposed member or when it is otherwise appropriate.

Source testing may be achieved by:

- (a) Obtaining consent from the individual.
- (b) Providing notification to emergency medical services providers under I.C. § 16-41-10-2).
- (c) HIV testing when ordered by a physician (I.C. § 16-41-6-1).

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- (d) Public health officials seeking consent or a court order (I.C. § 16-41-6-2).

The Chief of Police or his designee should seek the consent of the individual for testing and consult the City Attorney to discuss other options when no statute exists for compelling the source of an exposure to undergo testing if he/she refuses.

1004.5 CONFIDENTIALITY OF REPORTS

Medical information shall remain in confidential files and shall not be disclosed to anyone without the member's written consent (except as required by law). Test results from persons who may have been the source of an exposure are to be kept confidential as well (I.C. § 16-41-10-5).

1004.6 TRAINING

All members shall participate in training regarding communicable diseases commensurate with the requirements of their position. The training shall (I.C. § 16-41-11-5):

- (a) Be provided at the time of initial assignment to tasks where an occupational exposure may take place and at least annually after the initial training.
- (b) Be provided whenever the member is assigned new tasks or procedures affecting his/her potential exposure to communicable disease.
- (c) Provide guidance on what constitutes an exposure, what steps can be taken to avoid an exposure and what steps should be taken if a suspected exposure occurs.
- (d) Be properly documented.

Smoking and Tobacco Use

1005.1 PURPOSE AND SCOPE

This policy establishes limitations on smoking and the use of tobacco products by members and others while on-duty or while in West Lafayette Police Department facilities or vehicles.

For the purpose of this policy, smoking and tobacco use includes, but is not limited to, any tobacco product, such as cigarettes, cigars, pipe tobacco, snuff, tobacco pouches and chewing tobacco, as well as any device that is intended to simulate smoking, such as an electronic cigarette or personal vaporizer.

1005.2 POLICY

The West Lafayette Police Department recognizes that tobacco use is a health risk and can be offensive to others. Smoking and tobacco use also presents an unprofessional image for the Department and its members. Therefore smoking and tobacco use is prohibited by members and visitors in all department facilities, buildings and vehicles, and as is further outlined in this policy.

1005.3 SMOKING AND TOBACCO USE

Smoking and tobacco use by members is prohibited any time members are in public view representing the West Lafayette Police Department.

It shall be the responsibility of each member to ensure that no person under his/her supervision smokes or uses any tobacco product inside City facilities and vehicles.

The designated smoking area for the police department is just outside the South door to the Employee Lounge. An ashtray has been placed at the location. All cigarettes/cigars are to be extinguished before entering the building, and placed in the ashtray. No cigarette butts are to be placed on the ground.

Employees who smoke shall:

- a) Do so only at designated area outside of the building.
- b) Not smoke inside of a department owned/leased vehicle.
- c) Not smoke while directing traffic, working parking control, or at any time while dealing with a citizen or other employee
- d) Discard smoking materials only in the proper receptacle

1005.4 ADDITIONAL PROHIBITIONS

No employee shall smoke tobacco products within eight feet of an entrance to a City facility.

Personnel Complaints

1006.1 PURPOSE AND SCOPE

This policy provides guidelines for the reporting, investigation, and disposition of complaints regarding the conduct of members of the West Lafayette Police Department. Except as otherwise noted, this policy shall not apply to any questioning, counseling, instruction, informal verbal admonishment, or other routine or unplanned contact of a member in the normal course of duty, by a supervisor or any other member, nor shall this policy apply to a criminal investigation.

1006.2 POLICY

The West Lafayette Police Department takes seriously all complaints regarding the service provided by the Department and the conduct of its members.

The Department will accept and address all complaints of misconduct in accordance with this policy and applicable federal, state and local law and municipal and county rules.

It is also the policy of this department to ensure that the community can report misconduct without concern for reprisal or retaliation.

1006.3 PERSONNEL COMPLAINTS

Personnel complaints include any allegation of misconduct or improper job performance that, if true, would constitute a violation of department policy or federal, state or local law, policy or rule. Personnel complaints may be generated internally or by the public.

Inquiries about conduct or performance that, if true, would not violate department policy or federal, state or local law, policy or rule may be handled informally by a supervisor and shall not be considered a personnel complaint. Such inquiries generally include clarification regarding policy, procedures or the response to specific incidents by the Department.

1006.3.1 SOURCES OF COMPLAINTS

The following applies to the source of complaints:

- (a) Individuals from the public may make complaints in any form, including in writing, by email, in person or by telephone.
- (b) Any department member becoming aware of alleged misconduct shall immediately notify a supervisor.
- (c) Supervisors shall initiate a complaint based upon observed misconduct or receipt from any source alleging misconduct that, if true, could result in disciplinary action.
- (d) Anonymous and third-party complaints should be accepted and investigated to the extent that sufficient information is provided.
- (e) Tort claims and lawsuits may generate a personnel complaint.

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1006.3.2 IDENTIFICATION OF DISCIPLINARY MEASURES

The Chief of Police should ensure that the types of punitive measures that may be used against members in the event of disciplinary action (e.g., suspension, demotion, termination) are identified and made known to all members.

Counseling and/or remedial training may be used in lieu of punitive measures, if appropriate.

1006.4 AVAILABILITY AND ACCEPTANCE OF COMPLAINTS

1006.4.1 ACCEPTANCE

Any complaint received in person, writing, or over the phone, even if anonymous, alleging misconduct on the part of any officer or employee of this department shall be taken by the on-duty Shift Commander. This will include any documents turned in to the department concerning any complaint against an employee of the department.

Although not required, complainants should be encouraged to file complaints in person so that proper identification, signatures, photographs or physical evidence may be obtained as necessary.

The on-duty Shift Commander will take the complaint and review it. If the complaint is against an employee who reports to a different commander, then he/she will send an e-mail notification to the appropriate Shift Commander. The Shift Commander of the employee in question will complete the Citizen Complaint Module in the Records Management System (RMS) and investigate the complaint further. The investigating Shift Commander will notify his/her Division Captain and the Special Services Division that a shift command level investigation is taking place.

Complaints and allegations of employee violations of rules, policies or procedures will be investigated first by the employee's Shift Commander. Complaints and allegations of a criminal nature against any employee will be immediately forwarded to the Special Services Division, who will communicate the complaint to the Chief of Police. The Chief of Police reserves the right to immediately assign any investigation into any complaint or allegation against any employee to the Special Services Division or request investigation by another law enforcement agency.

At the conclusion of a shift level investigation, the investigating Shift Commander will communicate his/her finding to the complaining person(s) and the officer investigated. The Shift Commander will document his/her investigation in the RMS Citizen Complaint Module and will notify the Division Captain and the Special Services Division that the investigation is complete. The Division Captain will review the investigation for any violations of rules, policies or procedures. All suspected violations of rules, policies or procedures will be forwarded to the Chief of Police.

All information concerning a complaint against any employee of the department is considered confidential. Any discussion regarding the complaint outside of the official investigation will be cause for disciplinary action .

Records of all internal investigations shall be maintained by the Special Services Division as directed by the Chief of Police and shall remain confidential.

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1006.5 ADMINISTRATIVE INVESTIGATIONS

The Administration Commander or the supervisor in charge of the internal affairs function shall have direct access to the Chief of Police or the authorized designee. Allegations of misconduct will be administratively investigated as follows.

1006.5.1 ADMINISTRATIVE INVESTIGATION PROCEDURES

Whether conducted by a supervisor or a member of the Internal Affairs Unit, the following applies to members covered by I.C. § 36-8-2.1-4 (I.C. § 36-8-2.1-5; I.C. § 36-8-2.1-11):

- (a) Interviews of an accused member should be conducted during reasonable hours and preferably when the member is on-duty. If the member is off-duty, he/she should be compensated.
- (b) Unless waived by the member, interviews of an accused member shall be at the West Lafayette Police Department or other reasonable and appropriate place.
- (c) No more than two interviewers should ask questions of an accused member.
 - 1. Questions should be specific and directly related to the performance of duties or fitness for service as an officer.
- (d) Prior to any interview, a member should be informed of the nature of the investigation.
 - 1. The member should be informed of who will be in charge of the investigation, the identity of the interviewers, and any other person who will be present during the interview.
 - 2. A statement of rights should be presented to the member and signed by the member and the interviewer.
 - 3. A copy of the complaint, in a noncriminal case, should be provided to the officer.
- (e) All interviews should be for a reasonable period, and the member's personal needs should be accommodated.
- (f) No member should be subjected to offensive or threatening language, nor shall any promises, rewards, or other inducements be used to obtain answers.
- (g) Any member refusing to answer questions directly related to the investigation may be ordered to answer questions administratively and may be subject to discipline for failing to do so.
 - 1. A member should be given an order to answer questions in an administrative investigation that might incriminate the member in a criminal matter only after the member has been given a *Garrity* advisement. Administrative investigators should consider the impact that compelling a statement from the member may have on any related criminal investigation and should take reasonable steps to avoid creating any foreseeable conflicts between the two related investigations. This may include conferring with the person in charge of the criminal investigation (e.g., discussion of processes, timing, implications).
 - 2. No information or evidence administratively coerced from a member may be provided to anyone involved in conducting the criminal investigation, or to any prosecutor.

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- (h) The interviewer should record all interviews of members and witnesses. The member may also record the interview. If the member has been previously interviewed, a copy of that recorded interview should be provided to the member prior to any subsequent interview.
 - 1. Upon request, the member should be provided with a written transcript of the recorded interview, at no cost.
- (i) All members subjected to interviews that could result in discipline have the right to have an uninvolved representative present during the interview. However, in order to maintain the integrity of each individual's statement, involved members shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.
 - 1. Unrepresented members shall be provided with reasonable time to obtain representation.
- (j) All members shall provide complete and truthful responses to questions posed during interviews.
- (k) No member may be compelled to submit to a polygraph or truth-telling device examination, nor shall any refusal to submit to such examination be mentioned in any investigation.
- (l) No member shall be required to disclose information about the possession of property, income, debts, or personal expenditures unless the information is obtained through legal process or indicates a conflict of interest that affects the member's official performance of duties (I.C. § 36-8-2.1-11).
- (m) Notice should be provided to members before the effective date of an adverse action as provided in I.C. § 36-8-2.1-9.

1006.5.2 DISPOSITIONS

Each personnel complaint shall be classified with one of the following dispositions in the narrative portion of RMS module by the investigating commander.

Unfounded - When the investigation discloses that the alleged acts did not occur or did not involve department members. Complaints that are determined to be frivolous will fall within the classification of unfounded.

Exonerated - When the investigation discloses that the alleged act occurred but that the act was justified, lawful and/or proper.

Not sustained - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the member.

Sustained - When the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct.

If an investigation discloses misconduct or improper job performance that was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

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Once completed by the investigating commander, the division Captain will review the complaint and the decided disposition. If no further action is needed, the Captain will type APPROVED, along with the date in the narrative portion of the RMS module. If the division Captain believes that further action is necessary, they will type REVIEWED, along with the date. The investigation will then be forwarded to the Chief of Police for further.

1006.5.3 COMPLETION OF INVESTIGATIONS

Every investigator or supervisor assigned to investigate a personnel complaint or other alleged misconduct shall proceed with due diligence in an effort to complete the investigation within (60) days from the date of discovery by an individual authorized to initiate an investigation.

1006.5.4 EXTENSIONS

When an investigator or supervisor determines additional time is necessary to complete the investigation, a written request to extend the investigation beyond 60 days should be submitted to the Chief of Police for approval.

1006.6 ADMINISTRATIVE SEARCHES

Assigned lockers, storage spaces, and other areas, including desks, offices, and vehicles, may be searched as part of an administrative investigation upon a reasonable suspicion of misconduct.

Such areas may also be searched any time by a supervisor for non-investigative purposes, such as obtaining a needed report, radio, or other document or equipment.

1006.7 ADMINISTRATIVE LEAVE

When a complaint of misconduct is of a serious nature, or when circumstances indicate that allowing the accused to continue to work would adversely affect the mission of the Department, the Chief of Police or the authorized designee may temporarily assign an accused employee to administrative leave. Any employee placed on administrative leave:

- (a) May be required to relinquish any department badge, identification, assigned weapons and any other department equipment.
- (b) Shall be required to continue to comply with all policies and lawful orders of a supervisor.
- (c) May be temporarily reassigned to a different shift, generally a normal business-hours shift, during the investigation. The employee may be required to remain available for contact at all times during such shift, and will report as ordered.

1006.8 CRIMINAL INVESTIGATION

Where a member is accused of potential criminal conduct, a separate supervisor or investigator shall be assigned to investigate the criminal allegations apart from any administrative investigation. Any separate administrative investigation may parallel a criminal investigation.

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The Chief of Police shall be notified as soon as possible when a member is accused of criminal conduct. The Chief of Police may request a criminal investigation by an outside law enforcement agency.

A member accused of criminal conduct shall be provided with all rights afforded to a civilian. The member should not be administratively ordered to provide any information in the criminal investigation.

No information or evidence administratively coerced from a member may be provided to anyone involved in conducting the criminal investigation or to any prosecutor.

The West Lafayette Police Department may release information concerning the arrest or detention of any member, including an officer, that has not led to a conviction. No disciplinary action should be taken until an independent administrative investigation is conducted.

1006.9 POST-ADMINISTRATIVE INVESTIGATION PROCEDURES

Upon completion of a formal investigation, all investigative reports should be forwarded to the Chief of Police for review.

1006.10 PRE-DISCIPLINE EMPLOYEE RESPONSE

1006.10.1 REVIEW AND HEARING

In the event that an employee is reprimanded in writing or suspended for a period of five days or less, the Chief of Police shall notify the applicable merit commission, in writing, within 48 hours of the action and the reasons for the action. Unless the employee timely seeks review, the proposed discipline becomes final (I.C. § 36-8-3.5-19).

If the employee is dismissed, demoted or suspended for more than five days, the employee may request a hearing as provided in I.C. § 36-8-3.5-17.

1006.11 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE

In the event that a member tenders a written resignation or notice of retirement prior to the imposition of discipline, it shall be noted in the file. The tender of a resignation or retirement by itself shall not serve as grounds for the termination of any pending investigation or discipline.

1006.12 POST-DISCIPLINE APPEAL RIGHTS

In the event that the merit commission decides to dismiss, demote or suspend an employee for a period exceeding 10 days, the employee may appeal to the circuit or superior court of the county in which the unit is located as provided in I.C. § 36-8-3.5-18.

1006.13 FRINGE BENEFITS

If the discipline issued is dismissal, the employee shall be provided written notice as to the status of his/her fringe and retirement benefits after dismissal.

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1006.14 PROBATIONARY EMPLOYEES AND OTHER MEMBERS

At-will and probationary employees and members other than non-probationary employees may be disciplined and/or released from employment without adherence to any of the procedures set out in this policy, and without notice or cause, at any time. These individuals are not entitled to any rights under this policy. However, any of these individuals released for misconduct should be afforded an opportunity solely to clear their names through a liberty interest hearing, which shall be limited to a single appearance before the Chief of Police or the authorized designee.

In cases where an individual has been absent for more than a week or when additional time to review the individual is considered to be appropriate, the probationary period may be extended at the discretion of the Chief of Police.

1006.15 RETENTION OF PERSONNEL INVESTIGATION FILES

All personnel complaints shall be maintained in accordance with the established records retention schedule and as described in the Personnel Records Policy.

1006.16 NOTIFICATION OF THE LAW ENFORCEMENT TRAINING BOARD

The Chief of Police or the authorized designee shall notify the Law Enforcement Training Board (LETB) of the final determination of discipline of an officer in the following circumstances (I.C. § 5-2-1-12.5):

1. Conviction of a felony or a finding of not guilty for a felony by reason of mental disease or defect.
2. Conviction of a misdemeanor under circumstances that would cause a reasonable belief that the officer is dangerous, violent, or has a demonstrated propensity to violate the law.
3. Falsification of qualifications for employment as an officer.
4. Participation in criminal conduct that was uncharged.

The notification shall occur within 30 days of the imposition of the discipline.

If an officer resigns or retires during an administrative investigation of any of the above grounds for discipline, the Chief of Police or the authorized designee shall notify the LETB within 30 days of the resignation or retirement (I.C. § 5-2-1-12.5).

1006.17 PROBATIONARY EMPLOYEES AND OTHER MEMBERS

At-will and probationary employees and members other than non-probationary employees may be disciplined and/or released from employment without adherence to any of the procedures set out in this policy, and without notice or cause, at any time. These individuals are not entitled to any rights under this policy. However, any of these individuals released for misconduct should be afforded an opportunity solely to clear their names through a liberty interest hearing, which shall be limited to a single appearance before the Chief of Police or the authorized designee.

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In cases where an individual has been absent for more than a week or when additional time to review the individual is considered to be appropriate, the probationary period may be extended at the discretion of the Chief of Police.

1006.18 DISCIPLINARY PROCEDURE OUTSIDE THE PERSONNEL COMPLAINT PROCESS

This section applies to any questioning, counseling, instruction, informal verbal admonishment, or other routine or unplanned contact of a member in the normal course of duty.

Counseling and/or remedial training may be used in lieu of punitive measures, if appropriate. Supervisors may use counseling and remedial training as corrective measures. These measures may be administered during the normal course of supervision, as the result of an informal investigation of misconduct or improper work performance, or as directed by the Chief of Police.

- (a) Counseling should be used to change negative behavior before punitive measures are necessary. Certain first offenses or minor violations may be addressed by counseling.
 - 1. If a supervisor provides counseling to a member as a corrective measure, the supervisor should document the purpose and the effect of the counseling experience.
- (b) Remedial training should be used to improve member effectiveness and performance through positive and constructive methods. If a supervisor facilitates training as a corrective measure, the supervisor shall document the purpose and scope of the training.
- (c) Remedial training should be documented in accordance with the Personnel Records Policy.

Safety Belts

1007.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of safety belts and child restraints. This policy will apply to all members operating or riding in department vehicles.

1007.1.1 DEFINITIONS

Definitions related to this policy include:

Child restraint system - An infant or child passenger restraint system that meets Federal Motor Vehicle Safety Standards (FMVSS) and regulations set forth in 49 CFR 571.213 (I.C. § 9-19-11-1 et seq.).

Safety belt system - A system utilizing a lap belt, a shoulder belt or any other belt or combination of belts installed in a motor vehicle to restrain drivers and passengers, and that conforms to federal regulations (49 CFR 571).

1007.2 POLICY

It is the policy of the West Lafayette Police Department that members use safety and child restraint systems to reduce the possibility of death or injury in a motor vehicle accident.

1007.3 WEARING OF SAFETY RESTRAINTS

All members shall wear properly adjusted safety restraints when operating or riding in a seat equipped with restraints, in any vehicle owned, leased or rented by this department while on- or off-duty, or in any privately owned vehicle while on-duty. The member driving such a vehicle shall ensure that all other occupants, including those who are not members of the Department, are properly restrained.

Exceptions to the requirement to wear safety restraints may be made only in exceptional situations where, due to unusual circumstances, wearing a safety belt would endanger the department member or the public. Members must be prepared to justify any deviation from this requirement.

1007.4 TRANSPORTING CHILDREN

Child passengers shall be transported using an approved child restraint system in compliance with I.C. § 9-19-11-1 et seq.

1007.5 TRANSPORTING SUSPECTS, PRISONERS OR ARRESTEES

Suspects, prisoners and arrestees should be in a seated position and secured in the rear seat of any department vehicle with a prisoner restraint system or, when a prisoner restraint system is not available, by safety belts provided by the vehicle manufacturer. The prisoner restraint system is not intended to be a substitute for handcuffs or other appendage restraints.

Prisoners in leg restraints shall be transported in accordance with the Handcuffing and Restraints Policy.

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1007.6 VEHICLE AIRBAGS

In all vehicles equipped with airbag restraint systems, the system will not be tampered with or deactivated. All equipment installed in vehicles equipped with airbags will be installed as per the vehicle manufacturer specifications to avoid the danger of interfering with the effective deployment of the airbag device.

Body Armor

1008.1 PURPOSE AND SCOPE

The purpose of this policy is to provide officers with guidelines for the proper use of body armor.

1008.2 POLICY

It is the policy of the West Lafayette Police Department to maximize officer safety through the use of body armor in combination with prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for the observance of officer safety procedures.

1008.3 ISSUANCE

The department shall ensure that body armor is issued to all officers and that, when issued, the body armor meets or exceeds the standards of the National Institute of Justice for threat level IIA, II, or IIIA (I.C. § 36-8-9-9; I.C. § 36-8-10-4.5).

Body armor shall be issued when an officer begins service at the West Lafayette Police Department and shall be replaced when the body armor becomes worn or damaged to the point that its effectiveness or functionality has been compromised.

The Chief of Police may authorize issuance of body armor to uniformed, civilian members whose jobs may make wearing of body armor advisable.

1008.3.1 USE

Generally, the required use of body armor is subject to the following:

- (a) Members shall only wear department-approved body armor.
- (b) Members shall wear body armor any time they are in a situation where they could reasonably be expected to take enforcement action, including when engaged in pre-planned high-risk operations.
- (c) Members shall wear body armor when working in uniform or taking part in department range training.
- (d) Members are not required to wear body armor when they are functioning primarily in an administrative or support capacity and would not reasonably be expected to take enforcement action.
- (e) Officers may be excused from wearing body armor when they are involved in undercover or plainclothes work that their supervisor determines could be compromised by wearing body armor, or when a supervisor determines that other circumstances make it inappropriate to mandate wearing body armor.
 - 1. In those instances when body armor is not worn, officers should have reasonable access to their body armor.

1008.3.2 CARE AND MAINTENANCE

The required care and maintenance of body armor is subject to the following:

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- (a) Members are responsible for inspecting their body armor for signs of damage, wear and cleanliness at the start of each shift.
 - 1. Unserviceable body armor shall be reported to the supervisor.
- (b) Members are responsible for the proper storage of their body armor.
 - 1. Body armor should not be stored for an extended period of time in an area where environmental conditions (e.g., temperature, light, humidity) could potentially degrade its effectiveness.
- (c) Members are responsible for the care and cleaning of their body armor pursuant to the manufacturer's care instructions.
 - 1. Body armor should not be exposed to any cleaning agents or methods not specifically recommended by the manufacturer.
 - 2. Failure to follow manufacturer's care instructions may damage the ballistic performance capabilities of the body armor. If care instructions for the body armor cannot be located, the manufacturer should be contacted to request the instructions.
- (d) Body armor should be replaced in accordance with the manufacturer's recommended replacement schedule, or when its effectiveness or functionality has been compromised (I.C. § 36-8-9-9; I.C. § 36-8-10-4.5).

Personnel Records

1009.1 PURPOSE AND SCOPE

This policy governs maintenance and access to personnel records. Personnel records include any file maintained under an individual member's name.

1009.2 POLICY

It is the policy of this department to maintain personnel records and preserve the confidentiality of personnel records pursuant to the Constitution and the laws of Indiana (I.C. § 5-14-3-4).

1009.3 DEPARTMENT FILE

The department file shall be maintained in the office of the Chief of Police as a permanent record of a person's employment/appointment with this department. The department file should contain, at a minimum:

- (a) Personal data, including photographs, educational and employment history or similar information. A photograph of the member should be permanently retained.
- (b) Personnel action reports reflecting assignments, promotions and other changes in employment/appointment status. These should be permanently retained.
- (c) Original performance evaluations. These should be permanently maintained.
- (d) Discipline records, including copies of sustained personnel complaints.
- (e) Adverse comments such as supervisor notes or memos may be retained in the department file after the member has had the opportunity to read and initial the comment.
- (f) Commendations and awards.
- (g) Any other information, the disclosure of which would constitute an unwarranted invasion of personal privacy.

1009.4 TRAINING FILE

An individual training file shall be maintained by the Training Officer for each member. Training files will contain records of all training; original or photocopies of available certificates, transcripts, diplomas and other documentation; and education and firearms qualifications, including mandated annual qualification. Training records may also be created and stored remotely, either manually or automatically (e.g., Daily Training Bulletin (DTB) records).

- (a) It shall be the responsibility of the involved member to provide the Training Officer or immediate supervisor with evidence of completed training/education in a timely manner.
- (b) The Training Officer or supervisor shall ensure that copies of such training records are placed in the member's training file.

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1009.5 INTERNAL AFFAIRS FILE

Internal affairs files shall be maintained under the exclusive control of the Internal Affairs Unit in conjunction with the office of the Chief of Police. Access to these files may only be approved by the Chief of Police or the Internal Affairs Unit supervisor.

These files shall contain the complete investigation of all formal complaints of member misconduct, regardless of disposition. Investigations of complaints that result in a finding of not sustained, unfounded or exonerated shall not be placed in the member's department file but will be maintained in the internal affairs file.

1009.6 CONFIDENTIALITY AND SECURITY

Personnel records should be maintained in a secured location and locked either in a cabinet or access-controlled room.

Personnel records are confidential and subject to disclosure only as provided in this policy or pursuant to applicable discovery procedures.

Nothing in this policy is intended to preclude review of personnel records by the Clerk, City Attorney or other attorneys or representatives of the City in connection with official business.

1009.6.1 RELEASE OF PERSONNEL INFORMATION

The Department may release:

- (a) The factual basis for a disciplinary action in which final action has been taken and that resulted in the employee being suspended, demoted, or discharged (I.C. § 5-14-3-4(b)(8)).
- (b) Information related to the status of formal charges against an employee.
- (c) Personnel information otherwise permitted to be released under I.C. § 5-14-3-4(b)(8)).

1009.6.2 REQUESTS FROM OUTSIDE AGENCIES

The Chief of Police or his designee shall timely comply with requests from hiring law enforcement agencies for information regarding a current or former member, including employment files and disciplinary records (I.C. § 36-8-2-2).

1009.7 MEMBER ACCESS TO THEIR PERSONNEL RECORDS

Any member or their representative may request access to his/her own personnel records during the normal business hours of those responsible for maintaining such files (I.C. § 5-14-3-4(b)(8)).

Members may be restricted from accessing files containing any of the following information:

- (a) An ongoing internal affairs investigation to the extent that it could jeopardize or compromise the investigation pending final disposition or notice to the member of the intent to discipline.
- (b) Confidential portions of internal affairs files that have not been sustained against the member.
- (c) Criminal investigations involving the member.

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- (d) Letters of reference concerning employment/appointment, licensing or issuance of permits regarding the member.
- (e) Any portion of a test document, except the cumulative total test score for either a section of the test document or for the entire test document.
- (f) Information of a personal nature about a person other than the member if disclosure of the information would constitute a clearly unwarranted invasion of the other person's privacy.
- (g) Records relevant to any other pending claim between the Department and the member that may be discovered in a judicial proceeding.

1009.8 RETENTION AND PURGING

Unless provided otherwise in this policy, personnel records shall be maintained in accordance with the established records retention schedule.

During the preparation of each member's performance evaluation, all personnel complaints and disciplinary actions should be reviewed to determine the relevancy, if any, to progressive discipline, training and career development.

Lactation Breaks

1010.1 PURPOSE AND SCOPE

The purpose of this policy is to provide reasonable accommodations to members desiring to express breast milk for the member's infant child.

1010.2 POLICY

It is the policy of the West Lafayette Police Department to provide, in compliance with the Fair Labor Standards Act (FLSA), reasonable break time and appropriate facilities to accommodate any member desiring to express breast milk for her infant nursing child for up to one year after the child's birth (29 USC § 207).

1010.3 LACTATION BREAK TIME

A rest period should be permitted each time the member has the need to express breast milk (29 USC § 207). In general, lactation breaks that cumulatively total 30 minutes or less during any four-hour work period or major portion of a four-hour work period would be considered reasonable. However, individual circumstances may require more or less time (I.C. § 5-10-6-2).

Lactation breaks, if feasible, should be taken at the same time as the member's regularly scheduled rest or meal periods. While a reasonable effort will be made to provide additional time beyond authorized breaks, any such time exceeding regularly scheduled and paid break time will be unpaid.

Members desiring to take a lactation break shall notify the dispatcher or a supervisor prior to taking such a break. Such breaks may be reasonably delayed if they would seriously disrupt department operations.

Once a lactation break has been approved, the break should not be interrupted except for emergency or exigent circumstances.

1010.4 PRIVATE LOCATION

The Department will make reasonable efforts to accommodate members with the use of an appropriate room or other location to express milk in private. Such room or place should be in proximity to the member's work area and shall be other than a bathroom or toilet stall. The location must be shielded from view and free from intrusion from co-workers and the public (29 USC § 207, I.C. § 5-10-6-2).

Members occupying such private areas shall either secure the door or otherwise make it clear to others that the area is occupied with a need for privacy. All other members should avoid interrupting a member during an authorized break, except to announce an emergency or other urgent circumstance.

Authorized lactation breaks for members assigned to the field may be taken at the nearest appropriate private area.

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1010.5 STORAGE OF EXPRESSED MILK

Any member storing expressed milk in any authorized refrigerated area within the Department shall clearly label it as such and shall remove it when the member's shift ends.

Overtime Compensation

1011.1 OVERTIME COMPENSATION

1011.1.1 PURPOSE

To establish a written guideline regarding overtime compensation for all department personnel.

1011.1.2 POLICY

These guidelines are to be followed to determine overtime compensation for Police Department Employees

1011.2 PROCEDURE

1011.2.1 FLSA NON-EXEMPT POLICE OFFICERS (28 DAY WORK PERIOD) PATROL OFFICER (PROBATIONARY, FIRST CLASS), SERGEANT (PATROL AND INVESTIGATIONS), LIEUTENANTS (PATROL AND INVESTIGATIONS).

1. WLPD abides with FLSA agreement with employees dated April 15, 1986.
2. Compensation time is calculated at the end of each established 28 day work period. Certain factors affect the calculation:
 - a) Sick leave is subtracted from the calculation. Excused time does not (i.e.: vacations, personal holidays, and bereavement time).
 - b) Compensation time is earned in half-hour increments. If an employee works over in excess of fifteen minutes, they are compensated with one half hour of time. Time less than fifteen minutes is not compensated.
 - c) Time worked over between 161 hours and 168 hours is compensated at straight time hour for hour.
 - d) Time worked on a regular scheduled day off, and for time in excess of 168 hours, is compensated at time and one half.
 - e) In addition to FLSA agreement, the Chief of Police may exercise the option to pay any or all compensation that has been banked by a non-exempt employee. The Chief may also exercise the option to pay any special detail assignment or overtime detail.
 - f) Officers with non-exempt status may be paid for compensation time accrued in excess of the following amounts at the end of the 28 day work period:
 - (1) Patrol Officers, Sergeants and Lieutenants who work their assigned shift..
 - (2) Investigators (all levels) and Technicians.
 - (3) Employees on special assignment by the department.
 - g) Special enforcement grant time is paid in accordance with the terms of the grant and is not affected by sick leave or other detracting factors.

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1011.2.2 FLSA EXEMPT POLICE OFFICERS (CHIEF, DEPUTY CHIEF AND CAPTAINS)

1. Compensation time is calculated at the end of each established 28 day work period. Certain factors affect the calculation.

a) Sick leave is subtracted from the calculation. Excused time is not (i.e.: vacations, personal holidays, bereavement time, etc.).

b) Compensation time is earned in half-hour increments. If an employee works over in excess of fifteen minutes, they are compensated with one half hour of time. Time less than fifteen minutes is not compensated.

c) Time worked over on a regular scheduled day off, vacation day, or personal day is compensated at time and one half, all other time in excess of the regular 40 hours work week is compensated hour for hour straight time.

d) Officers with exempt status may be paid for compensation time accrued in excess of the following amounts at the end of the 28 day work period, or for time earned in the following circumstances:

(1) Captains, 60 hours or as designated by the Chief.

(2) Upon retirement or termination from the department, maximum amount payable is 240 hours.

(3) For working any assigned detail (i.e.: foot patrol, traffic/crowd control, special enforcement grants, and security details).

(4) Special enforcement grant time, is paid in accordance with the terms of the grant and is not affected by sick leave or other detracting factors. The Chief of Police is prohibited by an Attorney General ruling from being paid to participate in special grant enforcement activities.

1011.2.3 FLSA NON-EXEMPT PATROL DISPATCH OFFICERS

1. Compensation time is calculated at the end of each work week. Certain factors affect the calculation.

a) Neither Sick Leave or Excused Time (ie: vacations, personal holidays, bereavement time) is subtracted from the calculation.

b) Compensation time is earned in half hour increments. If a dispatcher works over in excess of fifteen minutes, they are compensated with one half hour of time. Time under fifteen minutes is not compensated.

c) Time worked on a regular scheduled day off is compensated at time and one half.

d) The Chief of Police may exercise the option to pay any or all compensation that has been banked.

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1011.2.4 CIVILIAN EMPLOYEES OF THE POLICE DEPARTMENT, OTHER THAN PATROL DISPATCH OFFICERS, WILL BE COMPENSATED IN ACCORDANCE WITH THE CITY PERSONNEL POLICY

1. Vacation time shall be considered hours worked for the computation of overtime pay/compensatory time in the event a civilian employee works on a scheduled vacation day.
2. The Chief may exercise the option to pay any special assignment or overtime detail.

Specialty Field Compensation

1012.1 SPECIALTY FIELD COMPENSATION

1012.1.1 PURPOSE

To establish a written guideline regarding compensation for all department specialty fields.

1012.1.2 POLICY

Employees who are certified members of the following specialty fields, teams, or units:

- Special Response Team
- Hostage Negotiation Team
- Field Training Unit
- Crash Reconstruction Unit
- STOPS Instructor
- ILEA Generalist Instructor
- ILEA Psycho-motor Skills Instructor
- RAD Instructor
- Drug Recognition Expert
- Dispatch Training Officer
- Foreign Language Speaking
- Polygraph Operator
- Narcotics Unit Team Member
- Less Lethal Instructor
- ICAT/De-Escalation Instructor
- Active Shooter Instructor
- Drone Pilot
- Mobile Field Force Instructor
- Emergency Medical Dispatch (EMD) Trainer
- High Tech Crimes Unit (HTCU)

Shall receive a \$250 annual compensation per specialty field.

Additionally, Field Training Officers who facilitate one complete phase of field training to a probationary officer, will receive an additional \$250 compensation for each probationary officer trained. This compensation for the FTO is in addition to normal specialty pay compensation as outlined above.

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Specialty Field Compensation

The Field Training Coordinator is also eligible for an additional \$250 annual compensation for commanding the Field Training Program. The compensation for the FTO Coordinator is in addition to normal specialty pay compensation as outlined above.

1012.2 PROCEDURE

1012.2.1 ELIGIBILITY REQUIREMENTS

In order to be eligible to receive the pay for specialty fields, the following criteria must be satisfied:

1. The employee must be a certified member of a specialty field, team, or unit as listed above.
2. The employee must have been specialty field certified for the entire calendar year.
 - a. Employees who become a member of a specialty field mid-year will have their pay pro-rated.

1012.2.2 PAY PROCEDURES

1. Neither Sick Leave nor Excused Time (i.e.: vacations, personal holidays, bereavement time) is subtracted from the calculation.
2. All department specialty field members who satisfy the Eligibility Requirements will receive the specialty field member pay, regardless of rank or seniority.
3. The specialty field pay will be paid in December of each year.

Outside Employment

1013.1 PURPOSE AND SCOPE

This policy provides guidelines for department members who seek to engage in authorized outside employment.

1013.1.1 DEFINITIONS

Definitions related to this policy include:

Outside employment - Duties or services performed by members of this department for another employer, organization or individual who is not affiliated directly with this department when wages, compensation or other consideration for such duties or services is received. Outside employment also includes duties or services performed by those members who are self-employed and receive compensation or other consideration for services, products or benefits rendered.

1013.2 POLICY

Members of the West Lafayette Police Department shall obtain written approval from the Chief of Police or the authorized designee prior to engaging in any outside employment. Approval of outside employment shall be at the discretion of the Chief of Police in accordance with the provisions of this policy. Failure to obtain prior written approval for outside employment or engaging in outside employment that is prohibited by this policy, may lead to disciplinary action.

1013.3 OUTSIDE EMPLOYMENT

1013.3.1 REQUEST AND APPROVAL

Members must submit a request to their immediate supervisors. The request will then be forwarded through the chain of command to the Chief of Police for consideration.

The Chief of Police may at any time rescind previously approved off duty employment.

1013.4 REQUIREMENTS

1013.4.1 PROHIBITED OUTSIDE EMPLOYMENT

The Department reserves the right to deny any request for outside employment that involves:

- (a) The use of department time, facilities, equipment or supplies.
- (b) The use of the West Lafayette Police Department badge, uniform or influence for private gain or advantage.
- (c) The member's receipt or acceptance of any money or other consideration for the performance of duties or services that he/she would be required or expected to render in the course or hours of his/her employment or appointment or as a part of his/her regular duties.

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- (d) The performance of duties or services that may later be subject directly or indirectly to the control, inspection, review, audit or enforcement of any other member of this department.
- (e) Demands upon the member's time that would render the performance of his/her duties for this department deficient or substandard.
- (f) Activities that may conflict with any other policy or rule of the Department.

1013.4.2 DEPARTMENT RESOURCES

Members are prohibited from using any department equipment or resources in the course of, or for the benefit of, any outside employment. This shall include the prohibition against any member using his/her position with this department to gain access to official records or databases of this department or other agencies.

Work-Related Illness and Injury Reporting

1014.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance regarding timely reporting of work-related injuries and occupational illnesses.

1014.1.1 DEFINITIONS

Definitions related to this policy include:

Work-related illness or injury - An injury or a disease arising out of and in the course of employment. This includes a disease that is a result of a work-related injury (I.C. § 22-3-6-1; I.C. § 22-3-7-10).

1014.2 POLICY

The West Lafayette Police Department will address work-related injuries and occupational illnesses appropriately, and will comply with applicable state worker's compensation requirements.

1014.3 RESPONSIBILITIES

1014.3.1 MEMBER RESPONSIBILITIES

Any member sustaining any occupational illness or work-related injury shall report such event as soon as practicable, but within 24 hours, to a supervisor and shall seek medical care when appropriate (I.C. § 22-3-3-1).

1014.3.2 REPORTING FORM AND WHERE TO REPORT FOR MEDICAL ATTENTION

Reporting Form and Where to report for medical attention:

[See attachment: HOW TO FILE A WC CLAIM 2022 - WorkingWell.pdf](#)

1014.3.3 DUTY LEVEL FORM

If an employee is unable to report for duty due to an injury a "duty level form" must be submitted to the members shift commander. For further details see the "Sick Leave" policy.

[See attachment: Level of Duty January 2018.pdf](#)

1014.3.4 SUPERVISOR RESPONSIBILITIES

A supervisor learning of any work-related injury or occupational illness should ensure the member receives medical care as appropriate.

Supervisors shall ensure that required documents regarding worker's compensation are completed and forwarded promptly.

1014.3.5 COMMANDER RESPONSIBILITIES

The Commander who receives a report of an occupational illness or work-related injury should review the report for accuracy and determine what additional action should be taken. The report shall then be forwarded to the Chiefs' Office Manager.

Personal Appearance Standards

1015.1 PURPOSE AND SCOPE

This policy provides guidelines for the personal appearance of members of the West Lafayette Police Department.

Requirements for department uniforms and civilian attire are addressed in the Uniforms and Civilian Attire Policy.

1015.2 POLICY

West Lafayette Police Department members shall maintain their personal hygiene and appearance to project a professional image that is appropriate for this department and for their assignments. Department personal appearance standards are primarily based on safety requirements, appearance conformity and the social norms of the community served, while considering matters important to members of the Department.

1015.3 GROOMING

Unless otherwise stated and because deviations from these standards may present officer safety issues, the following appearance standards shall apply to all members, except those whose current assignments would deem them not applicable, and where the Chief of Police has granted an exception.

1015.3.1 PERSONAL HYGIENE

All members must maintain proper personal hygiene. Examples of improper personal hygiene include, but are not limited to, dirty fingernails, bad breath, body odor and dirty or unkempt hair. Any member who has a condition due to a protected category (e.g., race, physical disability) that affects any aspect of personal hygiene covered by this policy may qualify for an accommodation and should report any need for an accommodation to the Chief of Police.

1015.3.2 HAIR

Hair shall be clean, neatly trimmed or arranged, and of a natural hair color. Hairstyles with shaved designs in the scalp are prohibited. Hair adornments shall be primarily for the purpose of securing the hair and must present a professional image.

Hairstyles for male department members must not extend below the top edge of a uniform or dress shirt collar while assuming a normal stance.

Hairstyles for female department members must not extend below the bottom of the uniform shoulder patch while assuming a normal stance.

1015.3.3 MUSTACHES

Mustaches shall not extend below the corners of the mouth or beyond the natural hairline of the upper lip and shall be short and neatly trimmed. Waxed or twisted mustaches are not permitted.

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Personal Appearance Standards

1015.3.4 SIDEBURNS

Sideburns shall not extend below the bottom of the outer ear opening (the top of the earlobes) and shall be trimmed and neat.

1015.3.5 FACIAL HAIR

Beards and goatees are authorized; however, they must be worn with a mustache. No portion of the beard may be longer than the rest, it shall be neatly trimmed, and facial hair length will not exceed 1/4 inch. The neck shall be clean shaven. Officers wearing beards must maintain their beard in such a manner to be able to pass a gas mask fit test.

1015.3.6 FINGERNAILS

Fingernails shall be clean and neatly trimmed to a length that will not present a safety concern. The color of fingernail polish shall present a professional image.

1015.4 APPEARANCE

1015.4.1 JEWELRY

For the purpose of this policy, jewelry refers to earrings, necklaces, bracelets, wristwatches and tie tacks or tie bars. Jewelry shall present a professional image and may not create a safety concern for the department member or others. Jewelry that depicts racial, sexual, discriminatory, gang-related or obscene language is not allowed.

- (a) Necklaces shall not be visible above the shirt collar.
- (b) Earrings shall be small, worn only in or on the earlobe and only by female department members. Earrings shall be limited to no more than two earrings per ear.
- (c) One ring or ring set may be worn on each hand of the department member. No rings should be of the type that would cut or pose an unreasonable safety risk to the member or others during a physical altercation, if the member is assigned to a position where that may occur.
- (d) One small bracelet, including a bracelet identifying a medical condition, may be worn on one arm.
- (e) Wristwatches shall be conservative and present a professional image.
- (f) Tie tacks or tie bars worn with civilian attire shall be conservative and present a professional image.

1015.4.2 TATTOOS

I. Purpose: This order presents standards for the display of tattoos and body art for sworn and non-sworn department personnel while on duty or in uniform.

II. Policy: For the purposes of this policy, all tattoos must be concealed by a long sleeve uniform shirt until approval for the tattoo is obtained in accordance with this policy. Employees who wish to display their tattoos while on duty must complete the West Lafayette Police Department Tattoo

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Personal Appearance Standards

Approval Request Form. Completed request forms and photos of the tattoo(s) will be forwarded to the Chief of Police.

- A. Tattoos in an area of the body above the shirt collar and below the wrists are strictly prohibited except for a wedding band tattoo on the member's ring finger.
- B. Any tattoo depicting words, pictures or symbols, which can be interpreted to advocate, promote, or support intolerance or discrimination against an individual or group based on race, gender, ethnic, religious or sexual orientation shall be strictly prohibited.
- C. Any tattoo depicting words, pictures or symbols, which can be interpreted as grossly indecent, lewd, vulgar, disgusting or gang-related shall be strictly prohibited.
- D. Members shall cover their tattoos with a long sleeve uniform or dress shirt when called to testify in court.
- E. Any existing tattoo which is added to or altered is considered new and must be concealed unless approval is obtained in accordance with this policy.
- F. Personnel working at any West Lafayette Community School will adhere to the WLCSC tattoo/professional appearance policy.

III. Tattoo Review Committee

- A. The Tattoo Review Committee will be comprised of:
 - 1. (3) sworn department members and (2) members of the West Lafayette community appointed by the Chief of Police.
- B. Tattoo approval request forms received by the Chief of Police will be forwarded to the Tattoo Review Committee.
- C. The Tattoo Review Committee shall make recommendations on the West Lafayette Police Department Tattoo Committee Approval Form, which will be forwarded to the Chief of Police for final approval.
- D. The employee will be notified of the final determination by the Chief of Police.
- E. A copy of the tattoo photo and WLPD Approval Form will be placed in the employee personnel file.

1015.4.3 BODY PIERCING OR ALTERATION

Body piercing (other than earlobes) or alteration to any area of the body that is visible while on-duty or while representing the West Lafayette Police Department in any official capacity, that is a deviation from normal anatomical features and that is not medically required, is prohibited. Such body alteration includes, but is not limited to:

- (a) Tongue splitting or piercing.
- (b) The complete or transdermal implantation of any material other than hair replacement (i.e., foreign objects inserted under the skin to create a design or pattern).

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- (c) Abnormal shaping of the ears, eyes, nose or teeth (i.e., enlarged or stretched out holes in the earlobes).
- (d) Branding, scarification or burning to create a design or pattern.

1015.4.4 DENTAL ORNAMENTATION

Dental ornamentation that is for decorative purposes and that is not medically required is prohibited while on-duty or while representing the West Lafayette Police Department in any official capacity. Such ornamentation includes, but is not limited to:

- (a) Objects that are bonded to front teeth.
- (b) Gold, platinum or other veneers or caps used for decorative purposes.
- (c) Orthodontic appliances that are colored for decorative purposes.

1015.4.5 GLASSES AND CONTACT LENSES

Eyeglasses and sunglasses shall be conservative and present a professional image. Contact lenses with designs that change the normal appearance of the eye and that are not medically required are prohibited while on-duty or while representing the West Lafayette Police Department in any official capacity.

1015.4.6 COSMETICS AND FRAGRANCES

Cosmetics shall be conservative and present a professional image. Use of cologne, perfume, aftershave lotion and other items used for body fragrance shall be kept to a minimum.

1015.4.7 UNDERGARMENTS

Proper undergarments shall be worn as necessary for reasons of hygiene and general appearance standards.

Conflict of Interest

1016.1 PURPOSE AND SCOPE

The purpose of this policy is to assist members in recognizing and avoiding potential conflicts of interest, thereby ensuring effective and ethical operating practices on the part of the West Lafayette Police Department.

1016.1.1 DEFINITIONS

Definitions related to this policy include:

Conflict of interest - Any actual, perceived or potential conflict, in which it reasonably appears that a member's action, inaction or decisions are or may be influenced by a personal or business relationship.

1016.2 POLICY

Members of the West Lafayette Police Department are expected to conduct themselves with the utmost professional integrity and objectivity. Members will guard against actual or perceived conflicts of interest in order to ensure the fair and equitable treatment of department members and the public, and thereby maintain the trust of the public and department members.

1016.3 PROHIBITIONS

The Department prohibits the following types of personal or business relationships among members:

- (a) Members are prohibited from directly supervising, occupying a position in the line of supervision or being directly supervised by any other member who is a relative or with whom they are involved in a personal or business relationship (I.C. § 36-1-20.2-10).
 - 1. If circumstances require that such a supervisor/subordinate relationship exist temporarily, the supervisor shall make every reasonable effort to defer matters pertaining to the involved member to an uninvolved supervisor.
 - 2. When personnel and circumstances permit, the Department will attempt to make every reasonable effort to avoid placing members in such supervisor/subordinate situations. The Department, however, reserves the right to transfer or reassign any member to another position within the same classification in order to avoid conflicts with any provision of this policy.
- (b) Members are prohibited from participating in, contributing to or recommending promotions, assignments, performance evaluations, transfers or other personnel decisions affecting a member who is a relative or with whom they are involved in a personal or business relationship.
- (c) Whenever possible, field training officers (FTOs) and other trainers will not be assigned to train relatives. Department FTOs and other trainers are prohibited from entering into or maintaining personal or business relationships with any member they

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are assigned to train until such time as the training has been successfully completed and the person is off probation.

Badges, Patches and Identification

1017.1 PURPOSE AND SCOPE

The West Lafayette Police Department (WLPD) badge, patch and identification card, as well as the likeness of these items and the name of the Department, are property of the Department. Their use shall be restricted as set forth in this policy.

1017.2 POLICY

The West Lafayette Police Department issues each member appropriate identification, which may include a badge, patch and/or identification card, depending on the member's position within the Department.

1017.3 MEMBER RESPONSIBILITIES

Members of the West Lafayette Police Department will use the WLPD badge, patch and identification card, as well as the likeness of these items, appropriately and professionally. The WLPD badge, patch and identification card shall only be displayed or used by a member when acting in an official or authorized capacity.

Department members shall not:

- (a) Display or use the WLPD badge, patch or identification card for personal gain or benefit.
- (b) Loan the WLPD badge, patch or identification card to others or permit these items to be reproduced or duplicated.
- (c) Use images of the WLPD badge, patch or identification card, or the likeness thereof, or the West Lafayette Police Department name, for personal or private reasons including, but not limited to, letters, memoranda and electronic communications, such as email, blogs, social networking or websites.

1017.4 BADGES

The Chief of Police shall determine the number and form of badges authorized for use by department members.

Only badges issued by this department are authorized to be used, displayed, carried or worn by members while on-duty or otherwise acting in an official or authorized capacity.

1017.4.1 PERMITTED USE BY EMPLOYEE GROUPS

The likeness of the WLPD badge shall not be used for any purpose without the express authorization of the Chief of Police.

1017.5 BUSINESS CARDS

The Department will supply business cards to those members whose assignments involve frequent interaction with the public or who may require the use of a business card. The only authorized business cards are those issued or approved by the Department and should contain

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Badges, Patches and Identification

identifying information including, but not limited to, the member's name, division, badge or other identification number and contact information (e.g., telephone number, email address).

Members should provide a business card to any member of the public who requests one.

1017.6 LOST BADGE, PATCH OR IDENTIFICATION CARD

Department members shall promptly notify their supervisors whenever their WLPD badges, patches or identification cards are lost, damaged or are otherwise removed from their control.

1017.7 PATCHES

The Chief of Police shall determine the form of patches authorized for use by the Department. Any request to modify the authorized patches for specialty divisions (e.g., K-9, SWAT) should be submitted to the Chief of Police in writing.

Only patches issued by this department are authorized to be displayed or worn by members while on-duty or otherwise acting in an official or authorized capacity.

Members, with the written approval of the Chief of Police, may request additional patches, at their own expense.

Temporary Modified-Duty Assignments

1018.1 PURPOSE AND SCOPE

This policy establishes procedures for providing temporary modified-duty assignments. This policy is not intended to affect the rights or benefits of employees under federal or state law..

1018.2 POLICY

Subject to operational considerations, the West Lafayette Police Department may identify temporary modified-duty assignments for employees who have an injury or medical condition resulting in temporary work limitations or restrictions. A temporary assignment allows the employee to work, while providing the Department with a productive employee during the temporary period.

1018.3 GENERAL CONSIDERATIONS

Priority consideration for temporary modified-duty assignments will be given to employees with work-related injuries or illnesses that are temporary in nature. Employees having disabilities covered under the Americans with Disabilities Act (ADA) or the Indiana Civil Rights Act shall be treated equally, without regard to any preference for a work-related injury.

No position in the West Lafayette Police Department shall be created or maintained as a temporary modified-duty assignment.

Temporary modified-duty assignments are a management prerogative and not an employee right. The availability of temporary modified-duty assignments will be determined on a case-by-case basis, consistent with the operational needs of the Department. Temporary modified-duty assignments are subject to continuous reassessment, with consideration given to operational needs and the employee's ability to perform in a modified-duty assignment.

The Chief of Police or the authorized designee may restrict employees working in temporary modified-duty assignments from wearing a uniform, displaying a badge, carrying a firearm, operating an emergency vehicle or engaging in outside employment, or may otherwise limit them in employing their law enforcement officer powers.

1018.4 MEDICAL EXAMINATIONS

Prior to returning to full-duty status, employees shall be required to provide certification from their treating medical professionals stating that they are medically cleared to perform the essential functions of their jobs without restrictions or limitations.

The Department may require a fitness-for-duty examination prior to returning an employee to full-duty status.

1018.5 PREGNANCY

If an employee is temporarily unable to perform regular duties due to a pregnancy, childbirth or a related medical condition, the employee will be treated the same as any other temporarily disabled

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employee (42 USC § 2000e(k)). A pregnant employee shall not be involuntarily transferred to a temporary modified-duty assignment.

1018.5.1 NOTIFICATION

Pregnant employees should notify their immediate supervisors as soon as practicable and provide a statement from their medical providers identifying any pregnancy-related job restrictions or limitations. If at any point during the pregnancy it becomes necessary for the employee to take a leave of absence, such leave shall be granted in accordance with the City's personnel rules and regulations regarding family and medical care leave.

1018.6 PROBATIONARY EMPLOYEES

Probationary employees who are assigned to a temporary modified-duty assignment shall have their probation extended by a period of time equal to their assignment to temporary modified duty.

Speech, Expression and Social Networking

1019.1 PURPOSE AND SCOPE

This policy is intended to address issues associated with the use of social networking sites, and provides guidelines for the regulation and balancing of member speech and expression with the needs of the West Lafayette Police Department.

This policy applies to all forms of communication including, but not limited to, film, video, print media, public or private speech and use of all Internet services, including the Web, email, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, video and other file-sharing sites.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech or expression that is protected under law. This includes speech and expression protected under state or federal constitutions as well as labor or other applicable laws. For example, this policy does not limit a member from speaking as a private citizen about matters of public concern.

Members are encouraged to consult with their supervisors regarding any questions arising from the application or potential application of this policy.

1019.2 POLICY

Members of public entities occupy a trusted position in the community, and thus, their statements have the potential to contravene the policies and performance of the West Lafayette Police Department. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that members of this department be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the Department will carefully balance the individual member's rights against the needs and interests of the Department when exercising a reasonable degree of control over its members' speech and expression.

1019.3 SAFETY

Members should carefully consider the implications of their speech or any other form of expression when using the Internet. Speech and expression that may negatively affect the safety of West Lafayette Police Department members, such as posting personal information in a public forum or posting a photograph taken with a GPS-enabled camera, can result in compromising a member's home address or family ties. Members should therefore not disseminate or post any information on any forum or medium that could reasonably be anticipated to compromise the safety of any member, a member's family or associates. Examples of the type of information that could reasonably be expected to compromise safety include:

- Disclosing a photograph and name or address of an officer who is working undercover.
- Disclosing the address of a fellow department member.
- Otherwise disclosing where another officer can be located off-duty.

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Speech, Expression and Social Networking

1019.4 PROHIBITED SPEECH, EXPRESSION AND CONDUCT

To meet the safety, performance and public-trust needs of the West Lafayette Police Department, the following are prohibited unless the speech is otherwise protected (for example, a member speaking as a private citizen on a matter of public concern):

- (a) Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation or professionalism of the Department or its members.
- (b) Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the Department and tends to compromise or damage the mission, function, reputation or professionalism of the Department or its members. Examples may include:
 - 1. Statements that indicate disregard for the law or the state or U.S. Constitutions.
 - 2. Expression that demonstrates support for criminal activity.
 - 3. Participation in sexually explicit photographs or videos for compensation or distribution.
- (c) Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the member as a witness. For example, posting to a website statements or expressions that glorify or endorse dishonesty, unlawful discrimination or illegal behavior.
- (d) Speech or expression of any form that could reasonably be foreseen as having a negative impact on the safety of the members of the Department (e.g., a statement on a blog that provides specific details as to how and when prisoner transportations are made could reasonably be foreseen as potentially jeopardizing employees by informing criminals of details that could facilitate an escape or attempted escape).
- (e) Speech or expression that is contrary to the canons of the Law Enforcement Code of Ethics as adopted by the Department.
- (f) Use or disclosure, through whatever means, of any information, photograph, video or other recording obtained or accessible as a result of employment or appointment with the Department for financial or personal gain, or any disclosure of such materials without the express authorization of the Chief of Police or the authorized designee.
- (g) Posting, transmitting or disseminating any photographs, video or audio recordings, likenesses or images of department logos, emblems, uniforms, badges, patches, marked vehicles, equipment or other material that specifically identifies the West Lafayette Police Department on any personal or social networking or other website or web page, without the express authorization of the Chief of Police.

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Speech, Expression and Social Networking

Members must take reasonable and prompt action to remove any content, including content posted by others, that is in violation of this policy from any web page or website maintained by the employee (e.g., social or personal website).

1019.4.1 UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS

While members are not restricted from engaging in the following activities as private citizens, members may not represent the West Lafayette Police Department or identify themselves in any way that could be reasonably perceived as representing the Department in order to do any of the following, unless specifically authorized by the Chief of Police:

- (a) Endorse, support, oppose or contradict any political campaign or initiative
- (b) Endorse, support, oppose or contradict any social issue, cause or religion
- (c) Endorse, support or oppose any product, service, company or other commercial entity.
- (d) Appear in any commercial, social or nonprofit publication or any motion picture, film, video or public broadcast or on any website.

Additionally, when it can reasonably be construed that an employee, acting in his/her individual capacity or through an outside group or organization or an employee group, is affiliated with this department, the member shall give a specific disclaiming statement that any such speech or expression is not representative of the West Lafayette Police Department.

Members retain their rights to vote as they choose, to support candidates of their choice and to express their opinions as private citizens or employee groups, on political subjects and candidates at all times while off-duty. However, members may not use their official authority or influence to interfere with or affect the result of elections or nominations for office. Members are also prohibited from directly or indirectly using their official authority to coerce, command or advise another employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political purposes (5 USC § 1502).

1019.5 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails, texts or anything published or maintained through file-sharing software or any Internet site (e.g., Facebook, MySpace) that is accessed, transmitted, received or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

1019.6 CONSIDERATIONS

In determining whether to grant authorization of any speech or conduct that is prohibited under this policy, the factors that the Chief of Police or the authorized designee should consider include:

- (a) Whether the speech or conduct would negatively affect the efficiency of delivering public services.
- (b) Whether the speech or conduct would be contrary to the good order of the Department or the efficiency or morale of its members.

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Speech, Expression and Social Networking

- (c) Whether the speech or conduct would reflect unfavorably upon the Department.
- (d) Whether the speech or conduct would negatively affect the member's appearance of impartiality in the performance of his/her duties.
- (e) Whether similar speech or conduct has been previously authorized.
- (f) Whether the speech or conduct may be protected and outweighs any interest of the Department.

Illness and Injury Prevention

1020.1 PURPOSE AND SCOPE

The purpose of this policy is to establish an ongoing and effective plan to reduce the incidence of illness and injury for members of the West Lafayette Police Department, in accordance with the requirements of I.C. § 22-1-1-10 and I.C. § 22-8-1.1-2.

This policy specifically applies to illness and injury that results in lost time or that requires medical treatment beyond first aid.

1020.2 POLICY

The West Lafayette Police Department is committed to providing a safe environment for its members and visitors and to minimizing the incidence of work-related illness and injuries. It is the intent of the Department to comply with all laws and regulations related to occupational safety.

1020.3 ILLNESS AND INJURY PREVENTION

1020.3.1 SAFETY AND HEALTH REVIEW

The Captain of Special Services will review all accidents and exposure causation. The review should include recommendations for reducing the incidence of accidents and injuries, including changes to policy, training or equipment, as appropriate.

1020.4 SUPERVISOR RESPONSIBILITIES

Supervisor responsibilities include, but are not limited to:

- (a) Ensuring member compliance with illness and injury prevention guidelines and answering questions from members about this policy.
- (b) Training, counseling, instructing or making informal verbal admonishments any time safety performance is deficient.
- (c) Establishing and maintaining communication with members on health and safety issues.

1020.5 INVESTIGATIONS

Any member sustaining any work-related illness or injury, as well as any member who is involved in any accident or hazardous substance exposure while on-duty, shall report such event as soon as practicable to a supervisor. Members observing or learning of a potentially hazardous condition are to promptly report the condition to their immediate supervisors.

The most current and up to date Workmans Comp Documents will be maintained on the WLPD Shared OneDrive.

Line-of-Duty Deaths

1021.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of the West Lafayette Police Department in the event of the death of a member occurring in the line of duty and to direct the Department in providing proper support for the member's survivors.

The Chief of Police may also apply some or all of this policy in situations where members are injured in the line of duty and the injuries are life-threatening.

1021.1.1 DEFINITIONS

Definitions related to this policy include:

Line-of-duty death - The death of a sworn member during the course of performing law enforcement-related functions while on- or off-duty, or a civilian member during the course of performing their assigned duties.

Survivors - Immediate family members of the deceased member, which can include spouse, children, parents, other next of kin or significant others. The determination of who should be considered a survivor for purposes of this policy should be made on a case-by-case basis given the individual's relationship with the member and whether the individual was previously designated by the deceased member.

1021.2 POLICY

It is the policy of the West Lafayette Police Department to make appropriate notifications and to provide assistance and support to survivors and coworkers of a member who dies in the line of duty.

It is also the policy of this department to respect the requests of the survivors when they conflict with these guidelines, as appropriate.

1021.3 PROCEDURES

1021.3.1 DEATH OR LIFE THREATENING INJURY NOTIFICATION

1. The name of the injured or deceased officer will be released by the PIO or another person designated by the Chief of Police only after notification of the primary family members.

2. Notification will always be made by two or more persons. The Chief of Police, his representative, and/or pre-selected persons of the officer's choice will notify the family if time to assemble these persons exists. Delays in developing the appropriate notification team must be weighed against the importance of the timely notification of the primary family.

a. If the above-suggested persons are not readily accessible, notification shall be made by a supervisor on-duty. The opportunity to get the family to the hospital prior to the demise of the officer is significantly more important than who delivers the notification.

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Line-of-Duty Deaths

- b. If the family wishes to go to the hospital, they may be transported via department vehicle. It is highly recommended the family not drive themselves to the hospital.
 - c. If the primary survivors are not in close proximity to West Lafayette, the OIC shall request personal notification from a public safety agency from their locale.
- 3. As soon as most public safety families see you, they will know something is wrong.
 - a. Ask to be admitted to the house. Do not make a notification on the doorstep.
 - b. Inform them slowly and clearly of the information you have on the incident.
 - c. It is important to use the officer's name during the notification.
- 4. If the officer has already died, relay that information. Do not give the family a false sense of hope.
- 5. Notifying personnel must be prepared for unexpected responses from survivors to include hysteria and possible verbal or physical attack, anger, fainting, shock, etc.

1021.3.2 ASSISTING THE FAMILY AT THE HOSPITAL

- 1. If the injuries to the officer are likely fatal and it is possible for the family to visit their officer prior to death, they should be afforded the opportunity. There is definite need to touch and hold the body while there is still life, and being present when death occurs can be comforting to the family.
- 2. A department representative should be present the entire time the family is at the hospital and should arrange whatever assistance the family may need.
- 3. A department representative will make arrangements for transportation of the family back to their residence or other desired reasonable destination.

Vacation and Personal Days

1022.1 VACATION AND PERSONAL DAYS

I. Purpose: This Policy sets forth the Vacation and Personal Day benefits for employees of the Police Department.

II. Policy: It is the policy of the West Lafayette Police Department to allow its employees to take Vacation time and Personal Days as allotted by the current work agreements with the city. All Vacation time and Personal Days are subject to availability as dictated by minimum shift coverage requirements, special events, training, etc. Occasionally a Vacation, Vacation days or Personal Days may have to be cancelled due to extenuating circumstances.

III. The Order:

A. All requests for Vacations, Vacation Days and Personal Days shall be directed to:

1. Patrol Officers and Patrol Sergeants submit their requests to their Patrol Lieutenant.
2. All personnel assigned to the Criminal Investigation Division submit their request to the C.I.D. Commander. The C.I.D. Commander submits his requests to the Deputy Chief. .
3. All personnel assigned to the Captain of Special Services submit their requests to their Captain.
4. Patrol Lieutenants submit their requests to the Captain of Patrol.
5. The Patrol Dispatch Officers submit their requests to the Head Dispatcher. The Head Dispatcher submits his/her requests to the Captain of Patrol.
6. Captains and the Secretary for the Chief and Deputy Chief submit their requests to the Chief of Police and Deputy Chief.
7. The Deputy Chief submits his/her requests to the Chief of Police.
8. The Chief of Police coordinates his/her requests with the Mayor.

B. All requests will be evaluated to determine the effect the employee's absence will have on the effective operation of department. The request will either be approved, or denied due to:

1. Staffing requirements.
2. Special events.
3. Scheduled training.
4. Other special circumstances.

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Vacation and Personal Days

C. All work assignments, training, etc. will be governed as follows with regard to Vacation, Single or Multiple Vacation Days and Personal Days.

1. Vacation and the regular days off prior to and immediately after are protected from scheduling for overtime (except in an extreme emergency such as civil disorder, natural disaster, etc.).
2. Single or multiple Vacation Days are protected, however any regular days off attached are not protected.
3. Personal Days are not protected and may under certain circumstances have to be changed.

D. Civilian Allotments: The allotment of Vacation and Personal Days for civilian employees shall be granted according to the current work agreement, and the City of West Lafayette Personnel Manual.

1. Civilian Employees shall be allowed to carry over Vacation Days in accordance with the current City of West Lafayette Personnel Manual to the next year. Personal Days may not be carried over to the next year.
2. Civilian personnel may split vacation time up into smaller units than a day at a time.

E. Sworn Personnel Allotments:

1. Personal Days

- a) Each Sworn Officer of the department shall be allotted the number of Personal Days prescribed in the current work agreement with the City of West Lafayette.

2. Vacation shall be allotted as follows:

- a) 40 hours of vacation will be immediately allotted to lateral transfers during their first year of service, which will be prorated from the employees start date.
- b) 80 hrs. of vacation upon completion of 1 year of service (the officer MUST complete one full year of service before taking any vacation)
- c) 120 hrs. of vacation from years two (2) through four (4) of service.
- d) 160 hrs. of vacation from year five (5) through nine (9) of service.
- e) 200 hrs. of vacation from years ten (10) through fourteen (14) of service.
- f) 240 hrs. of vacation from fifteen (15) years of service and over.

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Vacation and Personal Days

An officer's vacation is granted within the calendar year if that officer completes the specified number of years service anytime in that calendar year.

3. Carry Over:

- a) Sworn Officers may not carry over any Personal Days or Vacation Time to the next year.
- b) Under extreme and rare conditions an exception can be granted upon authority of the Chief of Police.

Bereavement Leave

1023.1 BEREAVEMENT LEAVE

1023.1.1 PURPOSE

The purpose of this policy is to set guidelines for funeral leave for regular full time Police Department employees.

1023.1.2 POLICY

It is the policy of the West Lafayette Police Department to provide Bereavement Leave to its regular full time employees when appropriate

1023.2 THE ORDER

1023.2.1 REQUEST FOR TIME OFF

The City of West Lafayette provides its regular full-time and part-time employees with bereavement leave to attend the funeral of a family member and to handle personal affairs. Bereavement Leave must be arranged with the Chief of Police through the employee's immediate supervisor.

1. Employees will be allowed up to five days of paid leave for the death of a spouse, child, parent and corresponding in-law, or step-relative of your spouse or domestic partner..
2. Employees will be allowed up to three days of paid leave for the death of a grandparent, grandchild, or sibling, and corresponding in-law, or step-relative of your spouse or domestic partner.
3. Employees will be allowed one day of paid leave for the death of an uncle, aunt, niece, nephew.
4. Employees will be allowed ½ day of paid leave to attend a funeral service for a co-worker in the same department, subject to the staffing needs of your department as determined by your department head.

An employee in need of more bereavement must use vacation, personal leave, or compensatory time, or seek approval for additional unpaid leave through their department head, who shall review each request on a case-by-case basis. Bereavement leave will not be considered hours worked for the computation of overtime pay or earning compensatory time.

IDACS Coordinator Compensation Policy

1024.1 IDACS COORDINATOR COMPENSATION POLICY

1024.1.1 PURPOSE

To establish a written guideline regarding compensation for the department IDACS coordinator and assistant coordinator.

1024.1.2 POLICY

The following guidelines are to be followed regarding compensation for the Police Department IDACS coordinator and assistant IDACS coordinator.

1024.2 PROCEDURE

1024.2.1 ELIGIBILITY REQUIREMENTS

In order to be eligible to receive the pay, the following criteria must be satisfied:

1. The employee must be an IDACS certified operator.
2. The employee must have been an IDACS coordinator or assistant IDACS coordinator for the entire calendar year to receive the full compensation. Those serving less than a full year will have their compensation pro-rated.

1024.2.2 PAY PROCEDURES

1. Neither sick leave nor excused time (i.e.: vacations, personal holidays, bereavement time) is detracted from the calculation.
2. All department IDACS coordinators and assistant IDACS coordinators who satisfy the Eligibility Requirements will receive the pay, regardless of rank or seniority.
3. The IDACS coordinator and assistant IDACS coordinator pay will be paid on the last paycheck of each calendar year.

Wellness Time

1025.1 WELLNESS TIME

1025.1.1 PURPOSE

This policy establishes the Wellness Time benefit for sworn employees of the Police Department.

1025.1.2 POLICY

It is the policy of the West Lafayette Police Department to allow its sworn employees to earn Wellness Time as allotted by the current work agreements with the City. All redeemed Wellness Time is subject to availability as dictated by minimum shift coverage requirements, special events, training, etc. Occasionally, Wellness Time may have to be canceled and it is not guaranteed. The Department retains the right of regulation for Wellness Time.

1025.2 THE ORDER

- A. Wellness days are to be given as follows: One (1) wellness day for each six (6) month period of perfect attendance (no sick time) for a total of not more than two (2) wellness days per calendar year.
- B. The earned wellness day must be taken during the next six (6) month period after it was earned.
- C. The six (6) month periods run as follows: January 1 to June 30 and July 1 to December 31.
- D. All requests to redeem wellness time are to be made to the immediate supervisor of the requesting employee.

Health and Wellness Testing

1026.1 WELLNESS TESTING

1026.1.1 PURPOSE

The purpose of this policy is to provide members of the department with information about their general health and wellness and to be proactive with preventative care for sworn employees.

1026.1.2 POLICY

All sworn personnel shall, on an annual basis, submit to a medical examination in the form of a physical.

1026.1.3 PROCEDURE

A. Sworn personnel shall, on an annual basis, submit to a medical examination with the physician or practitioner of their choosing.

B. Upon completion of the examination, members shall submit documentation to the Chief of Police or his designee. This documentation need only confirm that the member was examined by a physician or practitioner for their annual physical and the date of that appointment.

C. Each member shall submit this documentation no later than December 31st of each year.

1026.2 MENTAL WELLNESS

- I. Purpose: The purpose of this policy is to provide sworn personnel with tools to manage their response to traumatic experiences as well as increase their resiliency.
- II. Policy: All sworn personnel shall attend a mental wellness visit on an annual basis.
- III. Procedure:
 - A. Sworn personnel shall attend a mental wellness visit with a licensed practitioner of their choosing, however, WLPD has contracted with Suncrest Psychological Services as an EAP provider who specializes in working with first responders.
 - B. Sworn personnel who choose to see a psychologist outside of Suncrest Psychological Services must provide documentation to the Chief of Police or his designee indicating that they attended a wellness visit no later than December 31st of each year.

1026.3 HEART SCAN

1026.3.1 PURPOSE

The purpose of this policy is to provide members of the department with information about their cardiac health and to be proactive with preventative care for sworn employees.

1026.3.2 POLICY

All sworn personnel may elect to have a heart scan completed..

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Health and Wellness Testing

1026.3.3 PROCEDURE

Upon completion of the procedure, members shall submit the invoice to the Chief's Office Manager for payment..

Police Officer Lateral Entry Program

1027.1 POLICE OFFICER LATERAL ENTRY PROGRAM

1027.1.1 PURPOSE

The purpose of the policy is to define the process used to guide the department on allowing officers with previous Law Enforcement experience to lateral transfer into our agency.

1027.1.2 POLICY

It will be the policy of the department to recognize an applicant's previous law enforcement experience by providing a starting salary commensurate with the applicant's tenure in law enforcement.

1027.2 THE ORDER

A. In order to be considered for employment with this agency, applicants must meet all established pre-employment minimum requirements, as well as successfully complete all testing, screening, and background screening components. To be eligible for consideration within the lateral entry program the applicant must have had powers of lawful arrest and authorized to carry a weapon for (2) two years. All applicants wanting to be considered for the lateral entry program must possess an Indiana Law Enforcement Academy Certification or meet all of the requirements for the I.L.E.A. Waiver Requirement.

1. Law Enforcement Experience is defined as; fulltime employment with a local, county, state, or federal agency that has primary responsibility for law enforcement and arrest powers.
2. For the purposes of the Lateral Entry Program, military experience does not qualify.

B. The Lateral Entry Program does not recognize rank or seniority rights from the officer's previous employment. The below information will be used as a guide for entry-level salaries.

An officer granted employment under lateral entry shall begin employment as a probationary officer for pay, benefits and merit. Upon successful completion of the F.T.O. program, the lateral entry officer shall be granted pay and benefits equal to the Patrol Officer, first class, but will remain in a probationary status for a period not to exceed one year as required by Merit Commission Rules and Regulation (Article II, Section L (1)).

C. Candidates accepting employment through the Lateral Entry Program will be entitled to the following leave during their first year of employment.

1. 40 hours vacation, which will be prorated based on the employee's start date.
2. One hundred (108) hours of Personal Holiday time, which will be prorated based on the employee's start date.

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Police Officer Lateral Entry Program

3. At the completion of the first year of employment the employee will receive 80 hours of vacation..

4. Lateral transfers will receive vacation time based on the years of service they bring with them as it fits in the established allotment below. This vacation time will be granted in the calendar year following the officer's one year anniversary.

a) 120 hours of vacation from years two (2) through four (4) of service.

b) 160 hours of vacation from year five (5) through nine (9) of service.

c) 200 hours of vacation from years ten (10) through fourteen (14) of service.

d) 240 hours of vacation from fifteen (15) years of service and over.

D. Candidates wanting to be considered for the Lateral Entry Program must meet all of the requirements of the 1977 Indiana Police and Fire Pension Fund (PERF), and be accepted into the Pension Fund.

1. Out of state candidates and other applicants not currently a member of this fund must not have reached their 40th birthday at the time of employment.

E. Lateral transfers are eligible for a \$5,000 sign on bonus, \$2,500 of which will be paid upon completion of the FTO Program and \$2,500 upon completion of their first year.

Education Tuition Assistance Program

1028.1 EDUCATION TUITION ASSISTANCE PROGRAM

1028.1.1 PURPOSE

The purpose of this policy is to set guidelines for when officers can request tuition assistance to further their education and development.

1028.1.2 POLICY

It is the policy of the police department to continue to encourage and provide opportunities for officers to further develop through university based education and training related to law enforcement duties.

1028.1.3 PROCEDURE

A. Eligible Employees: Any full-time sworn member of the police department may request educational tuition assistance.

B. Courses must be pre-approved by the office of the Chief or designee before the employee enrolls in the course.

C. Courses must be taken outside of the employee's normal work hours.

D. No more than eight (8) credit hours of course work can be taken in one semester/quarter at an accredited college or university.

E. Tuition assistance shall not exceed the in-state per credit hour rate established by Purdue University for the same time period in which the course was taken.

F. Tuition assistance will only be paid for tuition cost associated with a course. No registration fees, no lab fees, no books, computer fees, or other university fees will be paid.

G. Upon a failure to complete course work or achieve a grade of C or above, the member shall repay the cost of the course to the City within 30 days of the posting of grades. Failure to repay the City within 30 days will result in a payroll deduction to obtain the repayment.

AUTHORIZED LEAVES OF ABSENCE

1029.1 AUTHORIZED LEAVES OF ABSENCE

I. The Order:

Officers may be excused from active duty for a period of up to seven (7) days for emergencies by obtaining permission from the Chief. These authorized leaves of absence may be granted by the Chief for deaths in the immediate family, or other serious or critical illness in the immediate family.,

A. During such temporary leave of absence the officer will receive full compensation.

B. If the officer desires to be excused from duty for any period of more than seven (7) days, permission for such authorized leave of absence must be obtained from the Board of Public Works and Safety, and he will receive no compensation.

C. Civilian personnel shall be subject to section #13 of the West Lafayette Personnel Manual regarding Personal Leave.

Departmental/Personal Use Lockers

1030.1 DEPARTMENTAL/PERSONAL USE LOCKERS

1030.1.1 PURPOSE

This order defines the issue and use of personal lockers.

1030.1.2 POLICY

This agency will assign personal lockers, which are for the storage of personal and department issue property, and are subject to routine inspections.

1030.2 THE ORDER

1030.2.1 ALL DEPARTMENT PERSONNEL WILL

1. Be assigned a locker by the Chief of Police, Division Commander, or designee.
 - a) There will be no random selecting of lockers.
 - b) No lockers are to be switched or changed without prior approval from the Officer's Division Commander.
2. Secure their locker with a padlock.
3. Be responsible for complying with the provisions of this Order.

1030.2.2 LOCKER INSPECTIONS

1. Routine and random inspections may be conducted by the Chief of Police, respective Division Commanders, or designees.
 - a) To insure compliance with this Order.
2. Conducted by the Chief of Police, Division Commander, Shift Commander, or Sergeant will be done with the Officer present.

1030.2.3 LOCKER USE

1. Lockers are to be used to secure department and personal property.
 - a. No evidence or contraband is to be stored in these lockers at any time.
2. Property kept in these lockers will be stored in a neat and orderly fashion.
3. Lockers are to be kept locked at all times when the officer is not present.
4. Unauthorized material on outside of lockers.
 - a. No materials are to be clipped, taped, posted, or in any other manner placed on the outside of lockers, unless being used for a bona fide police matter over a short period of time.

Facilities Hygiene

1031.1 FACILITIES HYGIENE

1031.1.1 PURPOSE

The purpose of this policy is to ensure the proper hygiene of the Police Department Facility is maintained.

1031.1.2 POLICY

In order to portray a positive, competent image, all sworn and non-sworn personnel shall be required to maintain their work area, as well all common areas of the Police Department facility neat, clean and presentable.

1031.1.3 THE ORDER

A. Gum: All gum and gum wrappers shall be placed in a trash receptacle. Gum shall not be spit out onto the floor or parking lot area.

B. Break area: All personnel shall clean up after themselves after using the break area. All dishes and utensils are to be washed by the persons who used them. Any dirty dishes or utensils left in the sink or on the counter area shall be thrown away at 08:00 hours each morning.

C. General Facilities Hygiene: In general, nothing is to be left on the floor in the hallways or other common floor areas of headquarters. Hallways should generally be clear of carts and all other debris. Trash cans should be emptied when full, or at the end of the shift if food items have been placed in the receptacle. All common areas of headquarters shall be kept in a neat, clean and orderly state. Shift/Division Commanders shall be responsible for making sure that this policy is adhered to.

Police Headquarters Emergency Evacuation & Procedures

1032.1 PURPOSE

This Order establishes the suggested emergency evacuation routes to be used in the event of fire or other emergency.

1032.2 POLICY

All department personnel will review the suggested escape routes and have advance knowledge of the safest route for them to use in the event of emergency evacuation from their assigned work area. All employees will share this knowledge with all visitors to the Police Department during an emergency evacuation.

1032.3 THE ORDER

A. Supervisors will assure that all personnel assigned to their command are aware of the suggested emergency evacuation route for their assigned areas.

B. Maps of the suggested escape routes will be posted in every major work area of the Police Department. The Commanding Officers of each area will assure that the maps remain posted in a "plain view" area near the exit door of the area.

C. In the event of emergency evacuation, the On-Duty Shift Commander shall notify:

1. Appropriate emergency services (fire, ambulance, other area police agencies, etc.).
2. All Senior Staff Officers, starting with the Chief.
3. The Mayor

1032.4 EMERGENCY EVACUATION PROCEDURES

In the event of an emergency that requires evacuation of the building:

- A. Try to rescue any personnel in immediate danger if it does not put you in imminent danger.
- B. Pull the building fire alarm and call 911. All the fire alarm pull stations in the building are labeled as such.
- C. If you speak with a 911 operator, state who you are and the nature of the problem.
- D. Evacuate the building immediately:
 1. When evacuating the building, leave using the nearest staircase.
 2. Do not use the elevators unless under police or fire department supervision.
 3. Assemble at least 300 feet away from the building in the designated area for a head count to be conducted.
 4. Quickly identify any individual who you suspect might still be in the building and alert fire personnel.

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Police Headquarters Emergency Evacuation & Procedures

5. All personnel must be evacuated from the building within 60 seconds of alarm.
 6. Direct all visitors and guests to the proper exit and designated meeting area.
 7. USE COMMON SENSE.
- E. Designated meeting area: Federated Church overflow lot (corner of Sycamore and Navajo).
- F. Door Keys: All employees shall always have a door key on their person. If power is lost, electronic key pads will not function. Keys will be required to leave the holding and garage areas.

*Disabled Occupants- If a disabled occupant is unable to exit the building unassisted, notify emergency response personnel of the person's location. Transporting of disabled individuals up or down stairwells should be avoided until emergency response personnel have arrived. If imminent life-threatening conditions exist in the immediate area occupied by a non-ambulatory or disabled person, relocation of the individual should be limited to a safe area on the same floor, near an evacuation stairwell.

[See attachment: Fire Escape Routes \(1\).pdf](#)

[See attachment: Basement Escape Plans.pdf](#)

[See attachment: First Floor Escape Plans.pdf](#)

[See attachment: Second Floor Escape Plans.pdf](#)

1032.5 TORNADO EMERGENCY PROCEDURES

- A. Proceed to the basement to designated area.
- B. Use nearest staircase, **do not** use the elevator.
- C. Assemble in hallway basement for a department head count.
- D. Kneel facing an interior wall or under a heavy piece of furniture and cover your head.
- E. Position yourself away from windows and glass.

Emergency Action

- A. Stay away from windows.
- B. Avoid automobiles and open areas
- C. Do not call 911 unless you need assistance.

1032.6 BOMB THREAT RESPONSE PROCEDURES

If a bomb threat is received by phone or note, or bomb is observed:

- A. Do Not Touch It!
- B. All building personnel needs to be notified face-to-face to evacuate the building to the Federated Church overflow lot (corner of Sycamore and Navajo).
 1. Do not use office phones, cell phones, or two-way radios.

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Police Headquarters Emergency Evacuation & Procedures

2. Do not pull fire alarm.
- C. Call 911 from an off-site land line.

IF YOU FIND AN UNRECOGNIZED ITEM: DO NOT TOUCH IT! CONTACT YOUR SUPERVISOR IMMEDIATELY!

[See attachment: BOMB THREAT CHECKLIST.pdf](#)

1032.7 EMERGENCY RESPONSE PROCEDURES EMPLOYEE ACKNOWLEDGEMENT

- A. Evacuation Procedures
 1. Floor plans reviewed.
 2. Nearest staircases to primary work space located.
 3. Designated meeting area outside of building identified.
- B. Tornado Procedures
 1. Nearest staircase to primary work space located.
 2. Designated meeting area in basement identified.
 3. Safe position reviewed.
- C. Bomb Threat Procedures
 1. Bomb threat checklist reviewed.
 2. Crucial information to be obtained from caller reviewed.
 3. Emergency Action procedures reviewed.

By clicking the submit button, you are acknowledging that you have read, reviewed and understand the information for Evacuation Procedures, Tornado Response Procedures, and Bomb Threat Response Procedures.

Workplace Bullying

1033.1 PURPOSE

The purpose of this policy is to communicate that the West Lafayette Police Department will not tolerate bullying behavior. Employees found in violation of this policy will be disciplined, up to and including termination.

1033.1.1 PROHIBITED CONDUCT

The police department defines bullying as repeated inappropriate behavior, either direct or indirect, whether verbal, physical, or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment. Such behavior violates the police department's belief that all employees be treated with dignity and respect. As in sexual harassment, it is the effect of the behavior on the individual that is important.

The police department considers the following types of behavior examples of bullying:

1. Verbal bullying: Slandering, ridiculing or maligning a person or their family; persistent name calling that is hurtful, insulting or humiliating; using a person as butt of jokes; abusive and offensive remarks.
2. Physical bullying: Pushing, shoving, kicking, poking, tripping, assault or threat of physical assault, damage to a person's work area or property.
3. Gesture bullying: Nonverbal threatening gestures; glances that can convey threatening messages.
4. Exclusion: Socially or physically excluding or disregarding a person in work-related activities.

Recruitment Plan

1034.1 PURPOSE AND SCOPE

The purpose of this procedure is to assist members in the recruitment process for new members.

1034.2 RECRUITMENT

The goal of the West Lafayette Police Department Recruitment Plan is to attract applicants relative to the service population of the Department (e.g., gender, ethnicity, race) through recruiting activities. The objective is to hire the most qualified individuals to pursue a career with the Department. The Department is committed to equal employment opportunity.

1034.2.1 RECRUITMENT ACTIVITIES

Activity #1: Identify and maintain contact with local organizations that advocate for underrepresented groups and social support organizations.

Activities may include but are not limited to:

- Attend career fairs at local schools and community colleges.
- Draft, print, and distribute informational brochures that may attract qualified candidates to the Department.
- Utilize the Department's website to attract qualified candidates.

Activity #2: Advertise on websites, social media platforms, and any other appropriate media for persons meeting eligibility requirements.

1034.3 ANNUAL REVIEW, EVALUATION, AND REPORTING

The Captain of Special Services shall conduct an annual review of the Recruitment Plan, which shall include performing an annual department demographic review, determining progress towards goals, and recommending revisions to the Recruitment Plan accordingly if the goals and objectives are not met. The results and any revisions shall be reviewed and approved by the Chief of Police.

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ARTICLE I - COMMISSION RULES

The purpose of this Article is to establish the basic rules under which the Commission shall operate.

A. Quorum.

Three members of the Commission shall constitute a quorum for the transaction of business.

B. Officers.

The Commission shall elect a president, a vice-president and a secretary.

(1) Term of Office. The officers of the Commission shall hold office for a term of one year.

(2) Election of Officers. Each January, the members of the Commission shall elect the three officers from its own membership.

(3) Vacancies and Removals. Membership vacancies and removals shall be filled by the procedure set forth in IC 36-8-3.5-7.

(4) Duty of the President. The President shall be the principal executive officer of the Commission and, subject to the control of the Commission, shall in general, supervise and control all of the business and affairs of the Commission. The President shall, when present, preside at all meetings of the Commission and shall preside as President of any hearing, including disciplinary hearings, before the Commission.

(5) Duty of the Vice-President. In the event of absence or incapacity to serve, on the part of the President of the Commission, the Vice-President shall function in the President's place.

(6) Duty of the Secretary. The Secretary shall:

- a) keep the minutes of all meetings.
- b) see that all notices are duly given in accordance with the provisions of these Commission rules and in accordance with IC 5-14-1.5-5 and 5-14-1.5-6.1.
- c) sign with the President or Vice-President, any rules, regulations, orders which are adopted by the Commission.
- d) perform such other duties as from time to time may be assigned by the President or the Vice-President.
- e) maintain the eligibility list of applicants for hire and for promotion.

(7) Delegation of Authority. The Commission shall have the authority to delegate functions and duties of an administrative nature to officials or members of the Police Department of the City of West Lafayette, Indiana, or to any other persons. However, in no event, shall the delegation of

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specific functions or duties be construed as abandonment of its authority. The Commission will, at all times, retain its option to maintain concurrent administration of the function or duty, or to rescind its prior delegation. The Commission shall not have the power to delegate its rule-making function to any person or persons whatsoever.

(8) Employees. The Commission shall be empowered to retain the services of legal counsel. The Commission shall be empowered to employ the services of a stenographer or court reporter to take notes of all meetings and hearings to aid the Secretary of the Commission in the performance of his duties.

C. Meetings.

(1) Regular Meetings. The Commission shall hold one regular meeting each month.

a) The regular meeting shall be held in the West Lafayette City Hall, unless otherwise changed by the Commission.

(2) Special Meetings. Special meetings of the Commission may be held at any time and at any place within the City of West Lafayette, Indiana when called by the President of the Commission, or by the Vice-President in the absence or incapacity of the President. A special meeting may be called by the joint action of two (2) members of the Commission. It shall be necessary that a quorum be present to conduct a special meeting.

(3) Adjourned Meetings. Adjourned meetings of any regular or special meeting may be held, if announced prior to the termination of the meeting which is to be adjourned, at which time, the time, place, and purpose of such adjourned meeting shall be announced.

(4) Open Door Law. In all cases, meetings shall conform with IC 5-14-1.5, Indiana's Open Door Law.

(5) Notice of Meetings.

a) The Secretary shall notify all members of the Commission of the special meetings. Such notice may be given in writing, by telephone, by personal contact or by any electronic means.

b) The Secretary shall coordinate with the Office of the West Lafayette Clerk-Treasurer to notify the media by January 1 of each year of the regular meeting dates for the coming year. The Secretary or his/her designee will also provide notice to the media of any special meetings at least 48 hours in advance of the special meeting.

c) The regular, special and adjourned meetings of the Commission are open to the public, except Executive Sessions held in accordance with I.C. 5-14-1.5-6.1, if the purpose of such special or adjourned meeting is the transaction of business of the Commission.

d) All notices shall state the time, the place, and the purpose of the meeting.

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(6) Conduct of Meetings. The rules of parliamentary procedure as set forth in Roberts Rules of Order shall govern meetings and proceedings before the Commission insofar as the same is not inconsistent with the rules of this Commission or the laws and statutes of the State of Indiana.

D. Maintenance of Records.

(1) Permanent Record. A permanent record of all acts and actions of the Commission shall be maintained by the West Lafayette Clerk-Treasurer.

a) The permanent records of the Commission shall be open for inspection at all times in accordance with I.C. 5-14-3 et seq.; except the personnel records which shall be open to inspection only to the person named thereon, or to his duly authorized representative, or to other persons who, in the judgment of the Commission have a lawful or legitimate reason for such inspection.

(2) Confirmation of Records of Prior Meeting. The first order of business of any regular meeting shall be the reading of the minutes of the previous meeting. At such time, the record may be amended, corrected or modified before final confirmation. The rescission, amendment, modification or affirmation of a prior action shall be noted on the margin of the record pertaining to the original action, as well as in full detail in the records of the subsequent meeting at which the modifying action was taken

(3) Record of Oral and Documentary Evidence. A complete record shall be kept of all oral and documentary evidence in any hearing before the Commission.

(4) Records of All Hearings Shall Be Kept. In all hearings before the Commission, a complete record of the entire proceedings shall be kept. In the event of any appeal from the finding and/or order of the Commission, a transcript shall be prepared containing the record of the hearing along with the finding and order of the Commission, this transcript shall thereupon be made available to the court having jurisdiction of such appeal.

(5) Transcript to Court within Thirty (30) Days after Summons Issued On Appeal from Any Order or Finding of the Commission. A certified copy, certified by the President or the Vice-President and the Secretary, shall be delivered and filed in the court having jurisdiction of any appeal from any order or finding of the Commission within thirty (30) days after service of summons.

(6) Written Examinations. The Commission is responsible for the aptitude test given to applicants and the promotional test given to members seeking to be promoted. The Commission may hire outside sources to prepare and administer examinations under its control. The Commission shall adopt procedures for both written exams that comply with its Rules and Regulations.

E. Budget

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The Commission shall establish an annual budget in an amount for the necessary expenses to carry out its purposes. Said budget shall be submitted to the Common Council of the City of West Lafayette to be included in its budget.

F. Hearings before the Commission.

All hearings held by the Commission on disciplinary matters shall be held in conjunction with Special Meetings of the Commission.

(1) Conduct of Hearings. All hearings before the Commission shall be held in such a manner as to obtain all facts material to the hearing, to protect the proper interests of all parties, and to render findings in accordance with the evidence presented.

(2) Procedure of Hearings. The procedures for the conduct of any hearing shall conform to the rules set forth in the Indiana Rules of Court.

(3) Power to Review Action. The Commission specifically retains the right and authority to review action taken by it on any matter, and after review, may rescind, modify or amend action previously taken.

(4) Appeals of Performance Ratings. The appeal to the Commission for review of a performance rating by a member and the resultant hearing of the appeal shall not constitute a hearing or require a special meeting of the Commission under this Section. However, the hearing of an appeal on a performance rating requires a quorum of the Commission, and a recording of the minutes of such hearing shall be retained in the files of the Commission.

G. Adoption of Rules and Regulations.

The Commission shall adopt the rules necessary to carry out its duties and powers as set forth in the Statute creating the Commission.

(1) Adoption of Regulations. Each rule and regulation to be adopted shall be reviewed in full at a duly noticed special or regular meeting open to the public. After the review, questions may be raised concerning the rule; thereafter a vote shall be taken upon the proposed rules or regulations.

(2) Regulations Prospective Only. All rules and regulations are prospective and shall have force and effect as of the time of their adoption by the Commission.

(3) Regulations Binding on Commission. All rules and regulations shall be binding upon the Commission and all other parties from the time of adoption until modified, rescinded or amended by proper action at a regular or special meeting.

(4) Promulgation of Regulations. Upon the adoption of any rule or regulation, the Commission shall print such rule and regulation and furnish a copy to each member, and shall incorporate the rule or regulation in the regular minutes of the meeting at which such rule or regulation is adopted.

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(5) Permanent Record of Regulations. All rules and regulations shall be kept in a permanent record, properly indexed, for ready reference. The master copy of this permanent record of rules and regulations shall be maintained by the West Lafayette Clerk-Treasurer or other designee. [Amended June 12, 2006]

(6) Each Regulation to be Numbered and Dated. Each regulation shall be numbered and dated as of the date of adoption.

(7) Amendments to the Rules. Amendments to the rules shall take effect upon such time as all members of the department have been furnished copies, or thirty (30) days after their adoption, whichever occurs later. The Chief will inform the Commission of the date on which copies have been furnished to all members of the department.

Police Merit Commission Article II

1102.1 POLICE MERIT COMMISSION ARTICLE II

ARTICLE II - MEMBER APPOINTMENT

The purpose of this Article is to establish the qualifications and rules necessary for the selection and appointment of members of the West Lafayette Police Department.

A.Application Process.

(1) Application Forms. All applicants for appointment as a member of the Police Department shall obtain an application form from the City of West Lafayette Human Resources Department, from the West Lafayette Police Department website, or from a West Lafayette Police Department employee. The Commission shall review the application forms used to consider applicants for compliance with all federal and state laws.

(2) Completion of Application. All information requested in the application forms shall be filled out to the best knowledge and belief of the applicant. Any misrepresentation made in the application forms by the applicant may render the applicant ineligible for any position with the Police Department. Failure to provide all required information with the application will result in the application being rejected. The applicant must resubmit the entire application package in order to be considered for the hiring process.

(3) Limitation. Each applicant who has submitted a complete application package must take the next available agility and aptitude test. If the applicant fails to take the next available agility and aptitude test, the applicant must resubmit the application package to be reconsidered for the hiring process.

(4) Applicant Information. An applicant must supply the following along with the completed application form:

- a) birth certificate or satisfactory evidence of date and place of birth;
- b) copy of high school diploma or G.E.D. certificate or high school transcript showing graduation;
- c) copy of military Certificate of Release or Discharge from Active Duty (DD Form 214), if applicable;
- d) valid driver's license or application for valid driver's license.

(5) Initial Eligibility Requirements.

a) Citizen. An applicant must be a citizen of the United States of America.

b) Age. An applicant must be, at the time of application to be a member, at least twenty-one (21) years of age and less than forty (40) years of age. The age requirements do not apply to a person who has previously been employed as a

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member of the West Lafayette Police Department or if the person meets the waiver requirements set forth below.

1. Age Waiver. Notwithstanding any contrary law, the Merit Commission shall waive any age restriction for a person not more than forty (40) and six (6) months of age on the date the individual applies to be appointed and hired as a member of the police department and who meets the following requirements;

a) the individual is a veteran who has completed at least twenty (20) years of military service;

b) the individual received or is eligible to receive an honorable discharge from the armed forces;

c) the individual meets all other requirements for appointment and hiring.

c) Character. An applicant must be of "good moral character" as determined by the Commission after review of all the requirements set forth in this Article.

d) Felony Conviction. An applicant shall not be appointed, reappointed or reinstated if he or she has a judgment of conviction for a felony.

e) High School Graduate. An applicant must be a graduate of a duly accredited high school or have received a G.E.D. certificate.

f) Other Criteria. In addition to the above, an applicant must have one of the following:

(i) completed 60 semester hours or 90 quarter hours of post-secondary education at an accredited college, university or technical school with at least a 2.0 GPA based on a 4.0 grading scale;

(ii) honorably completed 2 years of active service in the U.S. Military and received an Honorable Discharge or General Discharge (Under Honorable Conditions); or

(iii) completed 2 years of employment as a full-time law enforcement employee.

B. Examination Process. An applicant must take and pass minimum agility and aptitude tests to determine physical condition and general aptitude prior to being considered for employment.

(1) Physical Agility Test. The Commission shall adopt a physical agility test with the following minimum standards:

a) muscular strength;

b) muscular endurance;

c) cardiovascular endurance;

d) musculoskeletal flexibility.

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The physical agility test shall not discriminate on the basis of sex and shall reflect the essential functions of the job. An applicant must meet or exceed these standards at the time of the application to be eligible to take the aptitude test and be considered for employment.

(2) General Aptitude Test. The Commission shall adopt a general aptitude test as part of the applicant's testing process. The general aptitude test shall:

- a) reflect the essential functions of the job;
- b) be administered in a manner that reasonably accommodates the needs of applicants with disabilities.

Each applicant must score at least 75% in each category on the test and receive an overall score of at least 80%. Failure to meet either of these criteria will result in the applicant being removed from the hiring process.

(3) Biennial Review. The Commission shall review all aspects of the testing process at least once every two years and periodically adopt procedures for conducting the test.

C. Interview with Police Review Board. An internal review board, consisting of members of the Department, as selected by the Chief, shall interview and rate the applicant. The Board's scores and comments for the applicant shall be forwarded to the Commission. Failure of an applicant to receive a combined average score of 75 or greater from the Police Review Board will result in the applicant being removed from the hiring process.

The Chief shall submit the format used by the internal review board to the Commission for approval.

D. Background Investigation. A background investigation, including a criminal background, is to be completed by the police department. After the background investigation has been completed, the Police Review Board shall assign a score of up to a maximum of 60 points. The points assigned by the Police Review Board are conditional. The Commission shall review the background investigation and either affirm or change the score given by the Police Review Board.

E. Polygraph Exam. After an applicant has gone through a background investigation, the applicant shall then submit to a polygraph exam, administered by a qualified polygraph examiner. In the event an applicant shows deception, or makes admissions that preclude that applicant from employment, the applicant shall be removed from the hiring process.

F. Interview with the Commission. All applicants remaining in the hiring process shall be interviewed by the Commission. The Commission shall then score the applicant based on the following weights given to the criteria set forth above:

- (1) examination - 10%
- (2) police review board interview - 35%
- (3) background investigation - 20%

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(4) Commission interview - 35%

A minimum weighted score of 75% is necessary for the applicant to be placed on the eligibility list.

G. Eligibility List. The Commission shall then place the qualified applicants on an eligibility list ranked from highest to lowest score, which eligibility list shall be certified to the Board of Works. If an applicant for original appointment reaches his or her fortieth (40th) birthday (or if applicant is entitled to the waiver described in Section A(5)(b)(1), 40 years and 6 months), the applicant's name shall be removed from the eligibility list. An applicant remains on the list for two (2) years from the date of their first certification. If an applicant is removed from the eligibility list after two (2) years, then the applicant may reapply and begin the hiring process again.

H. Additional Requirements. The Commission, after review, may establish additional standards as a condition of employment above the minimum standards set out above.

I. Filling Vacancies. The Chief shall notify the Commission in writing when a vacancy occurs in the department. The Commission shall then provide the Chief with the name of the applicant having the highest score on the Eligibility List. The applicant shall then:

(1) be re-administered the physical agility test;

(2) undergo an updated criminal background investigation to determine if the applicant is of continued good character.

J. Conditional Offer of Employment. The Chief shall inform the Commission after the physical agility test and the updated criminal background investigation has been re-administered. If the applicant passes these criteria, then the Commission may extend to the applicant a conditional offer of employment.

K. Eligibility Requirements under the 1977 Policeman's Pension Fund (PERF).

(1) Conditional Appointment. An applicant's appointment is conditional on meeting the provisions for membership in the 1977 Police Officers' and Firefighters' Pension and Disability Fund (PERF) under IC 36-8-8-1 et seq.

(2) Physical and Mental Examination. After the Commission extends a conditional offer of employment to an applicant, the Commission shall administer the baseline statewide physical and mental examination as prescribed by the PERF board. (IC 36-8-8-19)

L. Probationary Members.

(1) Probationary Period. All applicants who pass the physical and mental examination as prescribed by the PERF board will become probationary members for a period not to exceed one (1) year. Probationary members shall be rated in the same manner as other members of the department. If the Commission is notified by the Chief that the probationary member is not performing satisfactorily, the Commission shall notify the member in writing:

a) that the member is being reprimanded;

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b) that the member is being suspended; or

c) that the member will not receive a permanent appointment.

(2) Termination of Employment. If the Commission finds that the probationary member will not receive a permanent appointment, the member's employment shall terminate immediately.

(3) No Property Interest. Probationary members do not have a property interest in their position until such time as they become a permanent member.

(4) Termination of Probationary Period. If the Chief presents no finding prior to the end of the one (1) year probationary period, a member will automatically be considered a regularly employed member.

(5) Residential Requirement. Within six (6) months of appointment, a member shall reside within Tippecanoe County or a contiguous county.

M. State and Federal Laws.

(1) Rules Subject to Federal and State Law. These rules and regulations regarding the employment of members shall be subject to all state and federal laws. If the Chief becomes aware of any changes in the law that would affect these rules, he or she is to notify the Commission so that the necessary amendments may be made.

(2) Chief's Responsibilities. The Chief shall notify the Commission when an applicant's offer of employment is no longer conditional (after PERF has approved the applicant for the 1977 Fund).

N. Furnishing Information to Applicants. A Commissioner who knowingly furnishes information to an applicant for original appointment that gives that person an advantage over another person commits a Class D felony.

Police Merit Commission Article III

1103.1 POLICE MERIT COMMISSION ARTICLE III

ARTICLE III - RULES OF CONDUCT

The purpose of this Article is to give guidance and direction to the members of the West Lafayette Police Department regarding the Rules, Regulations and Information promulgated by the City of West Lafayette Police Merit Commission. These Rules and Regulations are intended to establish a pattern of operation which will lead to the highest efficiency of this Department, for greater public service to the City; and at the same time provide guidance and protection to the sworn officers of the Department.

A. Definition of Terms. These definitions shall apply throughout each Article of these Rules and Regulations.

- (1) Chief. The Chief of Police, as appointed by the Mayor of the City of West Lafayette, Indiana or anyone who acts as the designee of the Chief.
- (2) Commanding Officer. A superior officer in charge of a division during a tour of duty. The Chief is the commanding officer of the entire Department.
- (3) Superior Officer. A member having supervision, either temporarily or permanently, over members of a lower rank.
- (4) Ranking Officer. A commanding officer, a superior officer, or the member on the scene at the time whose permanent appointment to the Department was prior to that of any other member present at the time. The Chief may delegate responsibility for command of a detail or situation to an officer regardless of the member's rank or tenure status. In that event, said member shall be the ranking officer.
- (5) Member. An officer of the Department regardless of rank, gender, division, or duty.
- (6) Manual. A copy of the Rules and Regulations as promulgated by the Commission, which copy may be in print or various electronic formats. [new 02.14.2011]
- (7) On Duty. That period during which a member is actively engaged in the performance of the member's duties whether on a regular tour of duty or during an emergency.
- (8) Off Duty. That period during which a member is free from specified routine duty.
- (9) Special Duty. That period during which the member is assigned to perform duties which are not regular routine duties.
- (10) Order. Any instruction given by a ranking officer to a subordinate either written or oral.
- (11) General Order. A permanent instruction issued by the Chief, generally relating to a general circumstance or situation.
- (12) Special Order. A written statement designed to give general departmental guidelines in regard to specific areas, issued by the Chief or Deputy Chief.

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(13) Departmental Procedure. A general order, policy statement or special order, issued by the Chief.

(14) Truth Verification System. A polygraph machine or equivalent which is used to seek the truth from someone being administered the test.

B. Gender. This document is intended to be gender neutral, however, any reference throughout Articles I through VI of these Rules and Regulations to the masculine gender shall be deemed to include the feminine and neuter genders unless the context otherwise requires.

C. Role of the Chief of Police.

(1) Duties. The Chief shall be the commanding officer of the entire Department, subject to the laws of the United States, the State of Indiana, the Ordinances of the City of West Lafayette and the Rules and Regulations of the City of West Lafayette Police Merit Commission. The Chief shall devote his or her whole time and energy exclusively to the discharge of the duties of the Chief. The Chief shall see that all laws of the State, Ordinances of the City, and Rules and Regulations of the Commission are enforced and followed, in so far as it is possible, by the members under his or her command, and that all offending members are reported to the proper tribunals for discipline. The Chief may designate another member to act on his or her behalf.

(2) Powers. The Chief shall have the power to promulgate such orders to the members as may be deemed proper. It shall be the duty of all members to render to the Chief, and to orders, implicit obedience in conformity to the laws and ordinances and to such rules and regulations as the Commission may adopt from time to time.

(3) Custody of Property. The Chief shall have custody and control of all books, records, machines, tools, implements, apparatus or equipment of any kind necessary for use in the and of all public property pertaining to, connected with and belonging to the City.

(4) Reports. The Chief shall cause to be made to the Commission such reports as it may require from time to time.

D. Duties of Members. Members should understand that these rules and regulations are not expected to cover each specific case which may arise in the discharge of their duties, but that some things must necessarily be left to the intelligence, discretion, good judgment and good sense of the individual member.

(1) Access to Manual. Each member shall have access to the Manual and shall keep up to date at all times regarding changes to any rule or regulation as communicated to them by their superiors. [revised 02.14.2011]

(2) Familiarity with Rules. Each member shall study the contents of the police manual and shall familiarize himself with all rules and regulations governing the Department. He shall also familiarize himself with the laws of the State and the ordinances of the City.

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(3) Violation of Rules. Strict obedience to these rules shall be required. Members shall not commit any acts or omit any acts which constitute a violation of any of the rules, regulations, directives or orders of the Department, whether stated in these rules and regulations or elsewhere. Violation shall result in discipline under Article IV.

E. Regulations for Members of the Police Department.

(1) Unbecoming Conduct. Members shall conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorably on the Department. Conduct unbecoming an officer shall include that which brings the Department into disrepute or reflects discredit upon any member, or that which impairs the operation or efficiency of the Department or its members. Members shall maintain a level of conduct in their personal and business affairs which is in keeping with the highest standards of the law enforcement profession. Members shall not participate in any incident which impairs their ability to perform as law enforcement officers or causes the Department to be brought into disrepute, including but not limited to:

- a) use of profane language in public;
- b) loss of temper and self-control;
- c) discourteous treatment of a citizen or fellow law enforcement officer;
- d) loud, boisterous, vulgar, indecorous, clownish or obtrusive behavior in public;
- e) repeating rumors or falsehoods concerning a fellow officer, or holding a fellow officer up to ridicule;
- f) knowingly submitting a false report to the Department;
- g) knowingly withholding information from the Department, the prosecuting attorney, or any court in which the officer is a witness;
- h) be guilty of any violation of criminal and/or traffic laws.

(2) Reporting for Duty. Members shall report for duty at the time and place required by assignment or order and shall be physically and mentally fit to perform their duties. They shall be properly equipped and cognizant of information required for the proper performance of duty so that they may immediately assume their duties. Judicial subpoenas shall constitute an order to report for duty under this section.

(3) Courtesy. Members shall be courteous to each other and to the public. Members shall be tactful in the performance of their duties, shall control their tempers, and exercise the utmost patience and discretion, and shall not engage in argumentative discussions even in the face of extreme provocation. In the performance of their duties, members shall not use violent, profane or insolent language or gestures, and shall not express any prejudice concerning race, religion, politics, national origin, sexual orientation, lifestyle or other personal characteristics.

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(4) Identification. Members shall carry their badges and identification cards on their persons at all times, except when impractical or dangerous to their safety or to an investigation. They shall furnish their name and badge number to any person requesting that information, when they are on duty or when holding themselves out as having an official capacity, except when the withholding of such information is necessary for the performance of police duties or is authorized by proper authority.

(5) Personal Appearance.

a) Members on duty shall wear uniforms or other clothing in accordance with established departmental procedure.

b) Except when acting under proper and specific orders from a superior officer, members on duty shall maintain a neat, well-groomed appearance and shall style their hair according to departmental procedure.

(6) Conformance to Laws.

a) Members shall obey all laws of the United States and the laws of any state and local jurisdiction in which the member is present.

b) A conviction for the violation of any law shall be prima facie evidence of a violation of this section.

(7) Insubordination. Neglect or Disobedience of Orders. Members shall promptly obey any lawful orders of a superior or commanding officer. This will include orders relayed from a superior officer by an officer of the same or lesser rank.

Elements. Neglect or disobedience of orders.

(a) That there was in effect a certain lawful order or regulation;

(b) That the accused had a duty to obey it; and

(c) That the accused violated or failed to obey the order or regulation.

(8) Conflicting or Illegal Orders.

a) Members who are given an otherwise proper order which is in conflict with a previous order, rule, regulation or directive shall respectfully inform the superior officer issuing the conflicting order. If the superior officer issuing the order does not alter or retract the conflicting order, the order shall stand. Under these circumstances, the responsibility for the conflict shall be upon the superior officer. Members shall obey the conflicting order and shall not be held responsible for disobedience of the previously issued order, rule, regulation or directive.

b) Members shall not obey any order which they know or should know would require them to commit any illegal act. If in doubt as to the legality of an order, members shall request the issuing officer to clarify the order. The member shall report the illegal

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order to the Chief or Deputy Chief. If the Chief or Deputy Chief issued the illegal order, then the member shall report the illegal order to a member of the Commission.

(9) Dissemination of Information. Members shall treat all official information received in the performance of their duty (whether on duty or off duty) as confidential. Official information shall be disseminated to those for whom it is intended as set forth in departmental procedure. Members may not remove or copy any official records except as provided by departmental procedure. Members may not divulge the identity of persons giving confidential information except as authorized by proper authority.

(10) Possession and Use of Alcohol.

a) Members shall not possess or consume intoxicating liquors of any kind while on duty or in uniform. In the event of a special investigation or undercover work, this rule may be waived by the Chief of Police, to the extent that drinking intoxicating liquor may be permitted, but never to the extent of intoxication in such an assignment. [Amended June 12, 2006]

b) Members shall not appear for duty, or be on duty, while under the influence of intoxicating beverages to any degree whatsoever, or with an odor of intoxicating beverages on their breath or person.

(11) Use of Alcohol While Off Duty. Members, while off duty, shall refrain from consuming intoxicating beverages to the extent that it results in impairment, intoxication, or obnoxious or offensive behavior which discredits them or the Department, or renders the member unfit to report for their next regular tour of duty.

(12) Alcoholic Beverages and Drugs in Municipal Buildings. Members shall not store or bring into any public facility, building or vehicle, alcoholic beverages, controlled substances, narcotics or hallucinogens except those items that are to be held as evidence.

(13) Possession and Use of Drugs. Members shall not possess or use any controlled substances, narcotics, or hallucinogens except where the member is being treated by a physician or dentist, who has prescribed the drug. If a member is under a physician's care and being treated with any of the above, the member shall immediately notify his commanding officer.

(14) Leaving Duty Post or Absence Without Leave. Members shall not leave their assigned duty post during a tour of duty except when authorized by proper authority.

Elements. Absence without leave.

(a) That a certain authority appointed a certain time and place of duty for the accused;

(b) That the accused knew of that time and place; and

(c) That the accused, without authority, failed to go to the appointed place of duty at the time prescribed, or went from the appointed place of duty after having reported at such place.

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(15) Neglect of Duty.

Elements: Neglect of duties

(a) That the accused had certain duties;

(b) That the accused knew or reasonably should have known of the duties; and

(c) That the accused was (willfully) (through neglect or culpable inefficiency) derelict in the performance of those duties.

Explanation of neglect of duties

(a) Duty. A duty may be imposed by statute, regulation, lawful order, or standard operating procedure.

(b) Knowledge. Actual knowledge of duties may be proved by circumstantial evidence. Actual knowledge need not be shown if the individual reasonably should have known of the duties. This may be demonstrated by regulations, training or operating manuals, or testimony, testimony of persons who have held similar or superior positions, or similar evidence.

(c) Derelict. A person is derelict in the performance of duties when that person willfully or negligently fails to perform that person's duties or when that person performs them in a culpably inefficient manner. "Willfully" means intentionally. It refers to the doing of an act knowingly and purposely, specifically intending the natural and probable consequences of the act. "Negligently" means an act or omission of a person who is under a duty to use due care which exhibits a lack of that degree of care which a reasonably prudent person would have exercised under the same or similar circumstances. "Culpable inefficiency" is inefficiency for which there is no reasonable or just excuse.

(d) Ineptitude. A person is not derelict in the performance of duties if the failure to perform those duties is caused by ineptitude rather than by willfulness, negligence, or culpable inefficiency, and may not be charged under this article, or otherwise punished.

(16) Fictitious Illness or Injury Reports. Members shall not feign illness or injury, falsely report themselves ill or injured, or otherwise deceive or attempt to deceive any official of the City as to the condition of their health.

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(17) Sleeping on Duty. Members shall remain awake while on duty. If unable to do so, they shall report to their commanding officer, who shall determine the proper course of action.

(18) Meals. Members shall be permitted to suspend patrol or other assigned activity, subject to immediate call at all times, for the purpose of taking meals during their tour of duty, but only for such period of time, and at such time and place, as established by departmental procedure.

(19) Unsatisfactory Performance. Members shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Members shall perform their duties in a manner which will maintain the highest standards of efficiency in carrying out the function and objectives of the Department. Unsatisfactory performance may be demonstrated by a lack of knowledge of the applications of laws required to be enforced; an unwillingness or inability to perform assigned tasks; the failure to conform to work standards established for the member's rank, grade, or position; the failure to take appropriate action on the occasion of crime, disorder, or other condition deserving police attention; or absence without leave. In addition to other indicia of unsatisfactory performance, the following will be considered prima facie evidence of unsatisfactory performance:

a) Repeated poor evaluations;

b) Written record of repeated infractions of rules, regulations, directives or orders of the Department.

(20) Off Duty Employment.

a) Members may engage in off duty employment subject to the following limitations:

(i) such employment shall not interfere with the member's employment with the Department;

(ii) members shall submit a written request for off-duty employment to the Chief, who shall determine whether the member may engage in off duty employment;

(iii) members shall not engage in any employment or business involving bail bond agencies, any work for private investigative agencies, private guard services, collection agencies or attorneys without the written consent of the Chief.

b) Approval of off duty employment may be denied by the Chief where it appears that:

(i) the member will be unavailable during an emergency;

(ii) the member will be physically or mentally exhausted to the point that his performance may be affected;

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(iii) the member will require special consideration in scheduling of his regular duty hours; or

(iv) the member will bring the Department into disrepute or impair the operation or efficiency of the Department or its members.

(21) Use of Tobacco. Members, when in uniform, may use tobacco as long as:

- a) they are not in a formation;
- b) they do not have to leave their assignment or post for the sole purpose of doing so;
- c) they are not engaged in traffic direction and control; or
- d) they are not in an area, public or private, that prohibits smoking.

When they are in direct contact with the public, members must obtain permission to use tobacco from the public with whom they are in direct contact.

(22) Gifts, Gratuities, Bribes or Rewards. Members shall not solicit or accept from any person, business, or organization any gift (including money, tangible or intangible personal property, food, beverage, loan, promise, service, or entertainment) for the benefit of the member or the Department if it may reasonably be inferred that the person, business, or organization

- a) seeks to influence action of an official nature or seeks to affect the performance or nonperformance of an official duty;
- b) has an interest which may be substantially affected directly or indirectly by the performance of an official duty.

(23) Abuse of Position.

- a) Members shall not use their official position, official identification card or badge for
 - (i) personal or financial gain;
 - (ii) obtaining privileges not otherwise available to them except in the performance of duty;
 - (iii) avoiding consequences of illegal acts.
- b) Members shall not authorize the use of their name, photograph or official title which identifies them as an officer, in connection with testimonials or advertisements of any commodity or commercial enterprise, without the approval of the Chief.

(24) Endorsements and Referrals. Members shall not recommend or suggest in any manner, except in the transaction of personal business, the employment or procurement of a particular product, professional or commercial services (e.g. attorney, ambulance, towing

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service, bondsman, mortician, etc.). In case of ambulance or towing services, when such service is necessary and the person needing the service is unable or unwilling to procure it or request assistance, members shall proceed in accordance with established departmental procedure.

(25) Citizen Complaints. Members shall courteously and promptly record in writing any complaint made by a citizen against any member or the Department. Members may attempt to resolve the complaint, but shall never attempt to dissuade any citizen from filing a complaint against any member or the Department. Members shall follow established departmental procedure for processing complaints.

(26) Request for Assistance. When any person applies for assistance or advice, or makes a complaint or report, either by telephone or in person, all pertinent information shall be obtained in an official and courteous manner and will be properly and judiciously acted upon consistent with established departmental procedure.

(27) Personal Associations. Members shall avoid regular or continuous association or dealings with persons who they know, or should know, are persons under criminal investigation or indictment, or who have a reputation in the community or the Department for present involvement in illegal and criminal behavior, except as necessary to the performance of official duties, or where unavoidable because of personal relationship.

(28) Visiting of Prohibited Establishments. Members shall not knowingly visit, enter or frequent any establishment wherein the laws of the United States, the state or local jurisdiction are regularly violated, except in the performance of duty or while acting under proper and specific orders from a superior officer.

(29) Gambling. Members shall not engage or participate in any form of illegal gambling at any time, except in the performance of duty or while acting under proper or specific orders from a superior officer.

(30) Public Statements and Appearances. Members shall not publicly criticize or ridicule the Department, its policies or other members, by speech, writing or other expression, where such speech, writing or other expression is defamatory, obscene, unlawful, undermines the effectiveness of the Department, interferes with the maintenance of discipline or is made with reckless disregard.

Members shall not address public gatherings, appear on radio or television, prepare articles for publication, act as correspondent to a newspaper or a periodical, release or divulge investigative information, or any other matters of the Department while holding themselves out as representing the Department in such matters without proper authority. Members may lecture on "police" or other related law enforcement subjects only with the prior approval of the Chief.

(31) Reporting Illness or Injury. In case of illness or injury, members must report the facts to their commanding officer without delay.

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(32) Surrender of Property. Members who are dismissed or resign shall immediately surrender to the Chief all equipment owned by the City and the Department.

(33) Accident Reports Affecting the City. Members shall make a complete detailed report of all accidents or personal injuries which may result in a lawsuit against the City.

(34) Police Auction. Members shall not be allowed, directly or indirectly, to purchase goods sold at any auction held by the Department.

(35) Report of Stolen or Damaged Property. Members shall immediately report to their shift commander lost or damaged property owned by the City or the Department.

(36) Labor Activity.

a) Members shall have the right to join labor organizations, but nothing shall compel the Department to recognize or to engage in collective bargaining with any such labor organizations except as provided by law or directed by the Mayor.

b) Members shall not engage in any strike against the City or Department.

(37) Payment of Debts. Members shall not undertake any financial obligations which they know or should know they will be unable to meet, and shall pay all debts when due. An isolated instance of financial irresponsibility will not be grounds for discipline, except in the unusual or severe cases. Repeated instances of financial difficulty may be cause for disciplinary action. Voluntarily filing a petition for bankruptcy relief is not a cause for discipline. Members shall not co-sign or act as surety for any debt of a superior officer.

(38) Telephone Service. Members shall have telephone service and shall immediately report any changes of telephone numbers or addresses to their superior officer or any other person as may be appropriate.

(39) Intervention.

a) Members shall not interfere with cases being handled by other officers or by any other governmental agency, unless:

(i) ordered to intervene by a superior officer; or

(ii) the intervening officer believes, beyond a reasonable doubt, that a manifest injustice would result from failure to take immediate action.

b) Members shall not undertake any investigation or other official action not part of their regular duties without obtaining permission from their commanding officer unless the situation requires immediate police action.

(40) Departmental Reports. Members shall submit all necessary reports on time and in accordance with established departmental procedure. Reports submitted by members shall be truthful and complete, and no member shall knowingly enter or cause to be entered

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any inaccurate, false or improper information, or withhold information from the Prosecuting Attorney or from any court.

(41) Processing Property and Evidence. Property or evidence which has been discovered, gathered or received in connection with departmental responsibilities will be processed in accordance with established departmental procedure. Members shall not convert to their own use, manufacture, conceal, falsify, destroy, remove, tamper with or withhold any property or evidence in connection with an investigation or other police action, except in accordance with established departmental procedure.

(42) Abuse of Process. Members shall not make false accusations of a criminal or traffic charge.

(43) Use of Department Equipment. Members shall utilize the Department's equipment for its intended purpose only, in accordance with established departmental procedure, and shall not abuse, damage or lose Department equipment. All Department equipment issued to members shall be maintained in proper repair.

(44) Operating Vehicles. Members shall operate official vehicles in a careful and prudent manner with due regard, obeying all laws and all departmental orders pertaining to such operation. Loss or suspension of any driving privileges shall be reported to the member's commanding officer immediately.

(45) Firearms. Members shall carry firearms in accordance with federal, state and local laws and established departmental procedure.

(46) Truthfulness. Upon the order of the Chief or a superior officer, members shall truthfully answer all questions asked of them which are specifically directed and narrowly related to the scope of employment and operation of the Department.

(47) Use of Truth Verification and Medical Examinations, Photographs and Lineups.

a) Upon the order of the Chief, members shall submit to truth verification examinations which are specifically directed and narrowly related to a particular internal investigation being conducted by the Department. Whenever a complaint from a citizen is the basis for the investigation, the matter is noncriminal, and no corroborating information has been discovered, members shall not be required to submit to a truth verification examination unless the citizen also submits to a truth verification examination which is specifically directed and narrowly related to the complaint.

b) Upon the order of the Chief, members shall submit to any medical, ballistic, chemical, photographic, lineup or any other examination or test. All procedures carried out under this subsection shall be specifically directed and narrowly related to a particular investigation being conducted by the Department.

(48) Disclosure of Personal Information. Upon the order of the Chief, members shall submit financial or other personal information statements in accordance with departmental

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procedures. The order for disclosure shall only be given in connection with a complaint in which this information is material to an investigation.

(49) Treatment of Persons in Custody. Members shall not mistreat persons who are in their custody. Members shall handle such persons in accordance with federal, state and local laws and departmental procedure.

(50) Use of Force. Members shall not use more force in any situation than is reasonably necessary under the circumstances. Force shall be used only in accordance with federal, state or local laws and the Department's "Use of Force" policy.

(51) Use of Weapons. Members shall not use or handle weapons in a careless or imprudent manner. Weapons shall be used only in accordance with federal, state or local laws and departmental procedure.

(52) Arrest, Search and Seizure. Members shall not make any arrest, search or seizure which they know or should know is not in accordance with any federal, state or local law or departmental procedure.

(53) Political Activity.

a) Subject to Section b, members shall be permitted to:

- (i) register and vote in any election;
- (ii) express opinions as individuals, privately and publicly, on political issues and candidates;
- (iii) attend political conventions, rallies, fund raising functions and similar political gatherings;
- (iv) sign political petitions as individuals;
- (v) make financial contributions to political organizations;
- (vi) hold membership in a political party and participate in its functions to the extent consistent with federal, state and local law and with the rules and regulations set forth in this section;
- (vii) otherwise participate fully in public affairs, except as provided by law, to the extent that such endeavors do not impair the neutral and efficient performance of official duties, or create real or apparent conflicts of interest.

b) Members are prohibited from:

- (i) using their official capacity on the Police Department to influence, interfere with or affect the results of an election;
- (ii) serving as paid election officials;
- (iii) engaging in any political activity while on duty and/or in uniform;

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(iv) posting or delivering any campaign materials in City property;

(v) seeking or accepting campaign funds from subordinates.

c) Pursuant to IC 36-8-3-12, members may:

(i) be candidates for elective office and serve in that office if elected;

(ii) be appointed to any office and serve in that office if appointed;

(iii) as long as they are not in uniform and not on duty, solicit votes and campaign funds and challenge voters for the office for which they are candidates.

(54) Immoral Conduct. Members shall maintain a level of moral conduct in their personal and business affairs, which is in keeping with the highest standards of the law enforcement profession. Members shall not participate in any incident involving moral turpitude, which impairs their ability to perform as law enforcement officers, or causes the Department to be brought into disrepute.

(55) Examination by Police Physician. Members may be required to submit to an examination by a physician chosen by the Chief when the Chief determines that a member's physical or mental condition may adversely affect the member's ability to perform his duties. The physician shall submit a report to the Chief with his findings regarding the member's physical and mental condition.

Police Merit Commission Article IV

1104.1 POLICE MERIT COMMISSION ARTICLE IV

ARTICLE IV - DISCIPLINE

The purpose of this Article is to supplement the disciplinary action the Police Merit Commission may take as set forth in I.C. 36-8-3.5-17 through 19.

A. Offenses Which Require Disciplinary Action.

(1) Offenses. I.C. 36-8-3.5-17(b) states that disciplinary action may be taken for the following offenses:

- a) conviction of a crime;
- b) neglect of duty: This offense is defined in Article III.E.(15) of these rules and regulations;
- c) neglect or disobedience of orders: This offense is defined in Article III. E. (7) of these rules and regulations;
- d) continuing incapacity;
- e) absence without leave: This offense is defined in Article III.E.(14) of these rules and regulations;
- f) immoral conduct: This offense is defined in Article III.E.(54) of these rules and regulations;
- g) conduct injurious to the public peace or welfare;
- h) conduct unbecoming a member: This offense is defined in Article III.E.(1) of these rules and regulations.
- i) furnishing information to an applicant for appointment or promotion that gives that person an advantage over another applicant; or
- j) a finding of a breach of the rules of conduct as set forth in Article III of these Rules and Regulations.

B. Disciplinary Action by the Commission. Pursuant to I.C. 36-8-3.5-17(a), the Commission may take the following disciplinary action against a regular member of the department:

(1) Actions Available.

- a) Suspension with or without pay;
- b) Demotion; or
- c) Dismissal;

(2) Remuneration. If a member is suspended, that member is entitled to the member's remuneration and allowances for insurance benefits to which the member was entitled before

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the suspension. In the event the City of West Lafayette is providing other fringe benefits to the suspended member, the City may continue to provide those benefits. The Commission shall determine if a member who is suspended in excess of five (5) days shall continue to receive the member's salary during the suspension.

(3) Fair Administration. All discipline shall be administered firmly, promptly, fairly and judiciously. In no event shall personal bias or discrimination affect the handling of disciplinary matters.

C. Procedures for Disciplinary Action. Pursuant to I.C. 36-8-3.5-17(c), the procedure for charging a member with a violation of this Article IV(A) is as follows:

(1) Charges and Hearing. If the Chief, after an internal investigation, prefers charges against a member for an alleged breach of departmental rules and regulations (including any civilian complaints for an alleged breach of Subsections (A)(1)(f), (A)(1)(g) or (A)(1)(h)), a hearing shall be conducted AT THE REQUEST OF THE MEMBER CHARGED.

a) Within five (5) days of requesting a hearing, the parties (being the officer charged and the Chief of police) may designate, by agreement, a hearing officer. Said hearing officer must be qualified by education, training or experience.

b) If the parties do not agree with this five (5) day period, the Commission may hold the hearing.

c) The Commission may, in its discretion, designate a person or board, who is qualified by education, training, or experience, to conduct the hearing. Such person or board may not be in an upper level policy making position.

d) The hearing must be held within thirty (30) days of the member's request. Continuations of the hearing may be granted by the Commission for good cause.

e) If the member fails to request a hearing within five (5) days of the charges being preferred, the Commission shall review the findings of the Chief and take disciplinary action against the member under Section B(1).

(2) Notice. Notice of a hearing shall be in writing and served upon the member charged either by personal service or by leaving a copy of the notice at the member's last and usual place of residence. The notice shall be given at least fourteen (14) days prior to the date set for the hearing.

a) The notice must state the following:

(i) the time and place of the hearing;

(ii) the charges against the member;

(iii) the specific conduct that comprises the charges;

(iv) that the member is entitled to be represented by counsel or another representative of the member's choice;

(v) that the member is entitled to call and cross-examine witness;

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(vi) that the member is entitled to require the production of evidence; and

(vii) that the member is entitled to have subpoenas issued, served, and executed.

b) The Commission may:

(i) compel the attendance of witnesses by issuing subpoenas;

(ii) examine witnesses under oath; and

(iii) order the production of books, papers, and other evidence by issuing subpoenas.

(3) Refusal to Cooperate. If a witness refuses to appear at the hearing after receiving written notice requiring his attendance, or refuses to produce evidence that the Commission requests by written notice, the Commission may file an affidavit in the Tippecanoe Circuit Court setting forth the facts of the refusal. The Judge of the Tippecanoe Circuit Court shall issue a summons for service by the Sheriff of Tippecanoe County requiring the appearance of the witness or the production of information or evidence.

a) Contempt. Disobedience of the summons constitutes contempt of the Tippecanoe Circuit Court. Expenses for the filing of the affidavit and issuance of the summons shall be charged to the witness, unless the Court finds that the witness acted in good faith and with reasonable cause. Otherwise all expenses shall be charged to the Commission.

(4) Burden of Proof. Any decision to discipline a member shall be made only if the preponderance of the evidence presented at the hearing indicates such course of action.

(5) Review. In the event a hearing was conducted by a hearing officer or board, other than the Commission, the member may appeal any decision by said hearing officer or board to the Commission within ten (10) days of the decision. The Commission may then affirm, modify, or reverse the decision based upon the record and any oral or written testimony (including additional or newly discovered evidence) that the commission determines.

(6) Records of Hearings. The Commission (including any hearing officer or board) shall keep a record of any disciplinary proceedings. The Commission shall give a free copy of the transcript to the member upon request if an appeal is filed.

D. Summary Discipline.

(1) Actions of Chief. Pursuant to I.C. 36-8-3.5-19, the Chief may, without a hearing, choose to summarily discipline a member, which discipline may include an oral reprimand, a reprimand in writing, or suspend without pay for a maximum of five (5) working days. One (1) day shall be equal to eight (8) hours of paid time.

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(2) Commission Notification. If the Chief reprimands a member in writing or suspends a member, then, within forty-eight (48) hours, the Commission shall be notified in writing of the following:

- a) member's name;
- b) member's rank;
- c) discipline imposed;
- d) the reasons for the discipline imposed.

(3) Review Request. A member who is reprimanded or suspended may request, in writing, within forty-eight (48) hours of notification of the summary discipline, that the Commission review the summary discipline. The Commission may either affirm or reverse the Chief's decision.

(4) Hearing on Summary Discipline. The Commission may hold a hearing, at its discretion, to review the Chief's summary disciplinary actions. If a hearing is held, the Commission shall give the member written notice of the hearing either by personal service or by leaving a copy of the notice at the member's last and usual place of residence. The notice shall be given at least fourteen (14) days before the date set for the hearing and shall contain all of the provisions of Subsection C (2) above.

(5) Back Wages. If the Commission reverses the actions of the Chief, the member who was suspended is entitled to any wages withheld as a result of the suspension.

E. Appeals to the Court. Pursuant to I.C. 36-8-3.5-18, a member has the following rights with regard to a decision of the Commission:

(1) Right of Appeal. If a member is suspended for more than ten (10) calendar days, demoted, or dismissed by the Commission, that member may appeal the Commission's decision to the Circuit or Superior Court of Tippecanoe County.

(2) Indiana Trial Rules. All appeals to the court shall be filed according to the Indiana Rules of Court except:

- a) the appeal must be verified and filed within thirty (30) days of the Commission's decision;
- b) the City of West Lafayette shall be the sole defendant;
- c) the City of West Lafayette is assumed to deny all allegations and does not need to file a responsive pleading;
- d) the member must file a bond at the time of filing the appeal conditioned on the member prosecuting the appeal to a final determination and paying the court costs incurred in the appeal;
- e) the Commission shall file a transcript of all papers, entries, and other parts of the record relating to the case within thirty (30) days after service of summons.

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(3) Priority. The appeal shall take precedence over other litigation pending before the court.

F. Precedence. In the event Indiana statute is in conflict with any rules of the Commission, the Indiana statute shall take precedence.

Police Merit Commission Article V

1105.1 POLICE MERIT COMMISSION ARTICLE V ARTICLE V - PROMOTIONS

The purpose of this Article is to adopt, promulgate, supervise and enforce rules and regulations that will govern promotions of members of the Police Department.

A. Factors Governing Promotions.

(1) Factors. The following four factors shall be used for rating a member below the rank of Deputy Chief for the purpose of promotion:

- a) the scores received by a member on a written competitive promotional examination;
- b) the performance record of a member as hereinafter defined;
- c) the number of years of service as a member;
- d) the performance on the oral competitive interview.

B. Selection for Eligibility for Promotion.

(1) Composite Points for Sergeant, Lieutenant or Captain. Any member who desires to be placed on an eligibility list for promotion to a rank of Sergeant, Lieutenant or Captain shall be qualified as to rank and length of service as set forth below. The weight given to the factors set forth in Section A above shall be as follows:

- a) Thirty percent (30%) for a written competitive promotional examination, based upon the most recent results of a written promotional examination administered annually;
- b) Forty percent (40%) for the average of the last 6 performance ratings prior to the date an eligibility list is created;
- c) Ten percent (10%) for length of service calculated to the date the date an eligibility list is created;
- d) Twenty percent (20%) for the oral competitive interview administered annually when there is eligibility for promotion.

(2) Other Qualifications for Promotion.

- a) All promotions to any rank shall be from the next immediate lower rank without regard to division.
- b) Members who are eligible to take the promotional exam are only those members who, at any time during the calendar year in which the member takes the promotional exam, have been or will become members for a minimum of three (3) years.

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c) The member being promoted must have served at the lower rank for a minimum of two (2) years, except for Sergeant, in which case the member must have served at the lower rank for a minimum of three (3) years.

d) However, the two-year minimum in-service requirement for Lieutenant and Captain may be waived on a case-by-case basis if the Commission finds particular circumstances exist which make the requirement contrary to the best interest of the Police Department.

C. Eligibility List.

The Commission shall establish an eligibility list for promotion. The eligibility list for a position consists of members who have been placed on the list in the order of their cumulative score on all rating factors as set forth above in Section B(1). The eligibility list shall be maintained for two (2) years from the date of certification. After the first year following certification, the Commission shall certify a modified eligibility list, which will include newly qualified candidates for promotion and will remove candidates ineligible for promotion due to the passage of two years of being on the eligibility list. At the end of the two-year period, the list shall be retired and a new list established. The retired list shall be kept for five (5) years and then destroyed.

D. Written Competitive Promotional Examinations.

(1) Written Exam. A written competitive promotional examination shall be given to those eligible members seeking to be promoted to the rank of Sergeant, Lieutenant, or Captain. The examination shall be given annually in January, February or March. The results of the examination are valid for one (1) year from the date of the examination. Members seeking promotion must take the examination each year, and the score from the most recent examination shall be used in calculating the score for the eligibility list. The Commission shall notify the members of the written materials from which the questions will be taken. The Commission may employ instructors, purchase materials, and make other expenditures to provide information for those taking the examination. Members seeking promotion will sign up for the examination in the City of West Lafayette Human Resources Office. Study guide materials may be loaned to individuals who sign up for the examination.

(2) Grading. The grading of the examination shall be graded on the basis of one hundred percent (100%) for a perfect score. Such score shall then be converted to the thirty percent (30%) factor as used for determining composite points for promotion.

(3) Administration. Preparation and grading of the written promotional examinations shall be under the administration of the Commission. In no event shall the persons grading the examinations be permitted to know the name of the member who has taken the examination which is being graded. The Commission shall keep all written examinations confidential.

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(4) Notification of Score. After the exams are scored, the Commission shall notify each member in writing of the score received on the examination. Said score shall become a part of the permanent file of the member. The member is entitled to access his file at any time.

(5) Commission Supervision. The examination papers shall be kept under the Commission's supervision.

(6) Appeal of Score. A member who disagrees with his score on the written examination may appeal to the Commission for review of the score.

a) The member must file the appeal within ten (10) days after the date the Commission sends the score to him.

b) The member may review the test questions which were incorrectly answered by him and challenge the answers considered correct by the test examiner.

c) The Commission shall either affirm the score or correct the score according after a review of the findings.

(7) Retention of Exams. The examination papers shall be retired after the two (2) year period for which the eligibility list is valid. The retired examinations shall be retained for five (5) years and then destroyed.

E. Oral Competitive Interviews with the Commission. The Commission shall interview members seeking promotion annually after they have taken the written examination. The interviews shall be completed prior to the end of April.

(1) Interview Calculation. The interview shall be graded on the basis of twenty (20) points for a perfect score. The member's score shall then be used in calculating the score for the eligibility list.

F. Performance Ratings.

(1) Ratings Procedure. Performance ratings shall be made every six (6) months for each member below the rank of Deputy Chief. The performance rating shall be conducted by the member's superior and reviewed by the commanding officer of the member. The performance rating shall be submitted to the Chief and kept on file permanently in his office. The Chief shall notify each member of their rating in writing.

a) The Commission shall determine the form to use for performance ratings;

b) If a member is aggrieved with the performance rating, the member shall have the right to appeal to the Commission for a review of the rating within ten (10) days after notice of the rating;

c) The Commission, after reviewing the rating, shall have the authority to affirm or change the rating.

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Police Merit Commission Article V

(2) Rating Calculation. The past performance ratings to be used for eligibility for promotion of a member shall be the arithmetic average for the member's last six (6) performance rating scores received at any rank. Such score shall then be converted to the forty percent (40%) factor as used for determining composite points for promotion.

G. Length of Service Score.

(1) Seniority Calculation. Seniority scores shall be calculated to the date of the certification of the eligibility list at the rate of one (1) point for each year served on the department for promotion to the ranks of Sergeant, Lieutenant and Captain. No points are given for less than a full year served.

(2) Military Service. Military service, while on leave from the Department, shall be included in the seniority score.

(3) Maximum Seniority Score. The maximum possible score for seniority shall be twenty (20) points for promotion to the ranks of Sergeant, Lieutenant and Captain. Such score shall then be converted to the ten percent (10%) factor as used for determining composite points for promotion.

H. Eligibility for Promotion.

(1) Vacancy. When a vacancy in rank occurs, the Commission shall certify, in writing, to the Chief, the members having the three highest scores on the eligibility list for promotion to that rank.

(2) Chief's Recommendation. Within six (6) months of receiving the certified names from the Commission, the Chief shall recommend one (1) of eligible members for promotion to the vacant rank.

(3) Promotion. Upon the recommendation of the Chief, the Commission shall promote the member to the vacant rank.

I. Probationary Period. All promotions shall be considered as probationary for a period not to exceed one (1) year from date of appointment.

(1) Review by Superior. At the end of the first year of probation, the probationary member's superior shall review the member's performance and recommend to the Commission that:

a) the promotion be granted permanent status;

b) the promotion be revoked.

(2) Rating the Probationer. Probationary members shall be rated in the same manner as other members of the department. The Commission shall review the report and decide what action should be taken.

(3) Review. The probationary member is entitled to appear before the Commission and be heard on any matter he considers detrimental in the report.

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Police Merit Commission Article V

a)The probationary member may be represented by counsel or another representative of his choice.

b)If the promotion is revoked, the member may not be returned to a rank lower than that he held before the promotion.

J. Appeal. The member aggrieved by actions of the Commission, other than making the promotion permanent, may appeal those actions, within thirty (30) days of the action, to the Tippecanoe Circuit or Superior Court. The City of West Lafayette shall be the sole defendant in any appeal to the courts.

K. Furnishing Information to Members Eligible for Promotion. A Commissioner who knowingly furnishes information to a member eligible for promotion that gives that person an advantage over another person commits a Class D felony.

Police Merit Commission Article VI

1106.1 POLICE MERIT COMMISSION ARTICLE VI

ARTICLE VI – MERIT AWARDS

The purpose of this Article is to establish the system whereby members of the West Lafayette Police Department may be recognized and commended for meritorious service. West Lafayette Police Department sworn officers as well as civilian personnel are eligible for recognition through this merit awards system.

A. Merit Awards. Merit awards in the following categories may be awarded:

(1) Gold. Gold awards are for actions above and beyond the call of duty, in the face of certain and imminent danger to life and limb. Awards at this level are reserved for those acts that are performed in the course of a dangerous incident to save and/or protect the life of a colleague or citizen without regard of self. These acts often result in great cost when performed, including the loss of life. Recipients shall display the highest level of professionalism, competence, leadership, and clear thinking throughout the dangerous incident whether these actions are performed while on or off duty.

(2) Silver. Silver awards are for actions above and beyond the call of duty that disregard the potential danger to self. Actions in this category are of a lesser nature than actions required to be recognized by a Gold award.

(3) Bronze. Bronze awards are for actions above and beyond the call of duty. Actions in this category are of a lesser nature than actions required to be recognized by a Silver award.

(4) Additional Awards.

a) Injury on Duty. For injury sustained while in direct performance of the officer's duty to the public which requires hospitalization. The injury must be sustained while making an arrest, patrolling, or performing a service directly to the public.

b) Good Conduct. For four consecutive years of good conduct.

c) Safe Driving. For four consecutive years without a chargeable official vehicle traffic accident.

d) Educational. For completion of a college degree while an employee of the West Lafayette Police Department or 1100 hours of certified police training.

e) Exceptional Service. For any act judged to be exceptional in nature. This may be a single arrest, an investigation, or a series of arrests, programs, or functions at an exceptional level.

f) Officer of the Quarter. For outstanding achievement throughout a calendar quarter that brings credit to the Police Department and which involves performance well above and beyond that required by an officer's basic assignment.

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Police Merit Commission Article VI

g) Officer of the Year. For outstanding achievement throughout the year that brings credit to the Police Department and which involves performance well above and beyond that required by an officer's basic assignment.

h) Unit/Shift Citation. For sworn members of a Unit/Shift who exhibit exceptional professional skill and conduct during a coordinated law enforcement initiative.

i) West Lafayette Police Department Distinguished Citizen's Award. For a citizen who at grave and imminent personal danger provides extraordinary service to the West Lafayette Police Department or substantially assists in the apprehension of a criminal.

j) West Lafayette Police Department Citizen's Award. For citizens or organizations who have aided the West Lafayette Police Department.

B. Group Awards. Gold, Silver, or Bronze awards may be awarded as a group award in situations involving multiple officers whose individual roles cannot be measured or weighted against the actions of other officers involved in the incident. Rather, it is for those officers who, acting in concert with each other, display a high level of teamwork in controlling a disturbance or bringing an incident under control.

C. Recommendation for an Award. Any employee of the Police Department may submit a nomination for any award, except Officer of the Quarter and Officer of the Year which shall be nominated by the member's shift supervisor. The nomination should fit the outlined criteria. The Police Department shall develop a standard nomination form for approval by the Commission.

D. Awards Board. The Chief of Police or his designee shall chair the Awards Board. Other members of the Awards Board, appointed by the Chief, shall include one of the Patrol Lieutenants, the Criminal Investigation Division Lieutenant, one of the Patrol Sergeants, and the Criminal Investigation Division Sergeant. One of the Police Merit Commissioners, appointed by the Commission President, shall also serve on the Awards Board. Members of the Awards Board shall be appointed when this amended article takes effect and each January.

E. Awards Processing. Recommended awards shall be submitted to the Awards Board for review and processing. All members of the Awards Board shall be in attendance for awards processing. The Awards Board shall meet as required. The decision as to whether a member's service warrants a merit award and the degree of commendation is a matter of judgment and shall be the responsibility of the Awards Board. The Awards Board in its deliberations should consider the application of one or more of the following attributes by the member recommended for an award:

Attention to detail Exemplary performance Persistence

Courage Fast thinking Physical dexterity

Courtesy Good judgment Professionalism

Dedication Ingenuity Steadfastness

Diligence Imagination Sustained performance

West Lafayette Police Department

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Police Merit Commission Article VI

Efficiency Investigative proficiency Tact

Endurance Leadership Teamwork

F. Awards Approval. A majority vote of the Awards Board is required for approval of all awards. In addition to the approval of the Awards Board, a majority vote of the Police Merit Commission is required to award a Gold, Silver, or Bronze Merit Award.

G. Commendations by the Chief. The Chief is authorized to issue letters of commendation for meritorious performance of a lesser nature than that outlined in this article. Copies of such letters of commendation shall be provided to the Commission so that they may be entered into the record.

H. Award Commendation. The award commendation shall include:

(1) Citation. A citation of the facts of the action shall be set forth at the time the recipient is commended. Citations shall be entered into the record of the Commission and made a part of the recipient's personnel record. Commendations should also be noted in the member's performance rating for the period in which the commendation was received.

(2) Certificate. A citation certificate, suitable for framing, shall be given to the recipient. The certificate should be delivered to the recipient at an appropriate ceremony in the presence of fellow members of the West Lafayette Police Department.

(3) Recognition Bar. For members who receive a Gold, Silver, or Bronze award, the member shall receive a Merit Recognition Bar.

I. Retroactive Awards. Awards authorized by this article may be made retroactive to the date of employment provided the award criteria can be documented.

Chapter 12 - City Employee Personnel Manual

City Employee Personnel Manual

1200.1 CITY EMPLOYEE PERSONNEL MANUAL

Click the following link to view the West Lafayette Employee Personnel Manual:

See attachment: [West Lafayette Civilian Personnel Manual 2023.pdf](#)

West Lafayette Police
Department Policy Manual
Policy Manual

Attachments

WLCSC and WLPD MOU Regarding Employment of Off Duty Officers 2020.pdf

AGREEMENT

Made as of the 6th day of February, 2020, by and between "West Lafayette Community School Corporation, hereinafter referred to as "School Corporation," and the West Lafayette Police Department, hereinafter referred to as "Police Department."

Whereas, the School Corporation wishes to hire off duty police officers to provide security services for the School Corporation; and

Whereas, the Police Department is willing to provide off duty police officers to provide said services;

Now therefore, in consideration of the premises and the covenants and agreements herein, the parties agree as follows:

Purpose. The School Corporation wishes to hire off duty police officers of the Police Department to provide security services to protect the persons and property of students, staff and visitors to the schools of the School Corporation; and the Police Department is willing to provide off duty police officers to provide said services for the School Corporation. All such police officers are known as School Resource Officers hereinafter referred to as "SRO".

Service Provided. The Police Department shall make every effort to provide one SRO each day that school is in session to provide security services for the School Corporation. Said services shall principally be performed at the West Lafayette Junior/Senior High School, hereinafter referred to as "Junior/Senior High School," but may be provided all other schools of the School Corporation.

SROs shall also provide security services for student activities and events at the request of the Junior/Senior High School Principal. The Junior/Senior High School Principal shall make a request for SROs to the Police Department not less than one week prior to the date of the event. The number of SROs needed and the times they are needed shall be designated at the time of the request.

Duties. The SROs shall generally perform the security duties set forth in the SRO Duties attached hereto as Exhibit A and made a part hereof. Said duties may be amended from time to time to meet the security needs of the School Corporation. SROs shall perform the duties pursuant to the SRO Guidelines attached hereto as Exhibit B and made a part hereof. SROs shall inform the Junior/Senior High School Principal or other school administrator if it becomes necessary for him or her to leave the school campus during the time he or she is providing security service.

Coordination of Services. The Chief of Police of the Police Department or his or her designee shall coordinate the SROs who shall provide security services for the School Corporation. The Police Department shall provide the Junior/Senior High School Principal with the names and dates of the off-duty police officers who shall provide security services to the School Corporation by 8:00 a.m. on Friday for the following week. Each SRO who

will provide security services for the School Corporation shall be given a copy of the SRO Duties and SRO Guidelines attached hereto as Exhibits A and B respectively.

The SRO shall work under the supervision of the School Principal or his or her designee. The School Principal or his or her designee shall determine the locations, times at such locations, and any specific security duties that the SRO shall perform. At the beginning of each shift the SRO who, will provide security services shall sign-in at the Junior/Senior High School office. At the end of each shift the SRO shall sign out at the Junior/Senior High School office. For planning purposes, the Police Department and each SRO shall be provided a school calendar. The Police Department and the SRO scheduled to be on duty shall be advised of weather or other emergency communications.

If a SRO assigned to provide security services is unable to work or will arrive late, he or she shall so inform the School Corporation by leaving a message at one of the Junior/Senior High School's Administrative Offices at least one-half hour before the beginning of his or her shift. The SRO shall try to arrange for a replacement if he or she is not able to work a scheduled shift.

Payment. SROs shall be paid \$29.53 per hour. The SROs shall be paid by the School Corporation on the fifth and twentieth of each month. Paystubs can be picked up by the SRO at the business office between 8:00 a.m. and 4:00 p.m. on these dates. If they are not picked up they will be placed in the officer's department mailbox.

WEST LAFAYETTE COMMUNITY SCHOOL CORPORATION

Name: [Signature]

Its: Superintendent

WEST LAFAYETTE POLICE DEPARTMENT

Name: [Signature]

Its: Police Chief

Exhibit A

School Resource Officer Duties

On a regular school day, the following locations are to be closely monitored at the following times:

- 7:30 a.m. - 8:30 a.m.: Grant Street bus drop-off Leslie Street vehicles and pedestrian traffic, south parking lot and west drive.
- 5-minute passing times between each class period.
- 11:30 a.m. - 12:45 p.m.: Outside the West Lafayette Junior/Senior High School building as Junior High students leave and return from lunch.
- 12:45 p.m. - 2:00 p.m.: Outside the Building, particularly in the south parking lot as High School students leave and return from lunch.
- 2:30 p.m. - 3:30 p.m.: Grant Street bus pick-up, Leslie Street vehicle and pedestrian traffic, south parking lot and west drive.

General duties throughout the school day:

- Monitor hallways, locker areas, and cafeteria whenever students are present.
- Serve as a quiet deterrent for students who may choose to use or possess illegal drugs or alcohol before coming to school or while at school.
- Assist school administrators in assessing situations with students suspected of being under the influence of illegal drugs or alcohol at school or on school property.
- Serve as a deterrent to student fights/conflicts and respond appropriately to conflicts that do occur.
- Assist administrators with monitoring school activity using security cameras.
- Assist administrators with school attendance enforcement and student truancy.
- Monitor for valid school-issued permits for staff and student parking on school property.
- Conduct security checks of all entry points to the building.
- Check loading docks and fire lanes for safety hazards and illegal parking.
- Serve in a resource capacity with teacher in-service training concerning issues of school safety.
- Serve in a resource capacity with classroom teachers whose curriculum involves topics relating to the duties of a police officer including substance abuse, safety, law, and careers in law enforcement.
- Performs other duties as assigned by the School Principal.

Exhibit B

Introduction

West Lafayette School Corporation School Resource Officer Guidelines

The information contained herein should serve as guidelines for a SRO in performing security duties for the West Lafayette Community School Corporation. These guidelines are to be followed whenever practicable. However, it is understood that in the event of extreme or emergency conditions, it may be necessary to deviate from these guidelines to protect the safety and well-being of the students, staff and visitors of the School Corporation.

Purpose

The intent of the School Corporation is to work in partnership with the West Lafayette Police Department ("Police Department") to provide security for the schools of the School Corporation. The purpose of security is to make the schools safe and provide protection to students, staff and visitors.

SROs shall perform the duties set forth on Exhibit A attached hereto. Said duties shall principally be provided on the Junior/Senior High School campus.

Duty Hours

On all regular school days, SROs shall be provided security services from 7:30 a.m. to 3:30 p.m. SROs shall provide services on scheduled partial school days from 7:30 a.m. to 12:45 p.m. When school is delayed due to weather conditions SROs shall provide security services from 9:30 a.m. to 3:30 p.m.

For planning purposes, the Police Department and each SRO shall be provided a school calendar. The Police Department and the SRO scheduled to be on duty shall be advised of weather or other emergency communications.

Lunch/Break Schedule

Each SRO shall have 30 minutes off duty during each shift worked. This time can be taken in two 15-minute periods or one 30-minute period. The off-duty time can only be taken between 9:00 a.m. to 11:00 a.m. or 2:00 p.m. to 3:00 p.m. SROs should not leave school property during off duty periods without the prior consent of the Junior/Senior High School Principal.

Accountability

The SRO shall work under the supervision of the School Principal. At the beginning of each shift the SRO who will provide security services shall sign in at the Junior/Senior High School office. At the end of each shift the SRO shall sign out at said office. The School Principal shall determine the locations, times at such locations, and any specific security duties that the Security Officer shall perform.

SROs shall inform the Junior/Senior High School Principal or other school administrator if it becomes necessary for him or her to leave the School campus during a shift.

If a SRO assigned to provide security services is unable to work or will arrive late, he or she shall so inform the School Corporation by leaving a message at one of the Junior/Senior High School's Administrative Offices at least one-half hour before the beginning of the shift. The SRO shall try to arrange for a replacement if he or she is not able to work a scheduled shift. The telephone number for the Junior and Senior High is 746-0400.

Security Office

The School Corporation will designate space for a security office at the Junior/Senior High School. A computer will be available in that office to allow SROs to monitor the video security system as necessary or appropriate.

Communication

The SRO shall carry and use school communication compatible radios at all times while providing security services.

School Resource Officer Identification

SROs shall wear shirts or other apparel provided by the School Corporation at all times while performing security services.

Respect

It is a policy of the School Corporation that employees act professionally and with respect when interacting with students, other staff, visitors and members of the community. Accordingly, under no circumstances should SROs make any racial or sexual remarks, use profanity, or behave disrespectfully toward any student, staff, visitor or person in the community while performing security services for the School Corporation.

Privacy/Confidentiality

SROs are subject to the privacy of information/confidentiality policies established by the Board of School Trustees of the School Corporation. A copy of Board Policy No. 8350 is attached hereto. SROs will provide no information concerning any student, staff member, or incident to any unauthorized person or representative of the media. All questions regarding any student, staff member or incident shall be directed to the Junior/Senior High School Principal for a response.

Student Questioning

SROs questioning of students should be conducted with the building principal or his or her designee present. A school administrator will try to contact a parent or guardian before questioning, if possible. Questioning of students should be conducted in a professional manner. A written report shall be made as soon as possible after the questioning is complete. The report shall be given to the building principal.

Searches

SROs are considered contract employees of the School Corporation and as such are authorized to act at the direction of the building principal or his or her designee in assisting with searches of students and their property. All searches, including those of student lockers, other personal property, or person, must be conducted *in* the presence of the building principal or his or her designee. Strip searches are prohibited.

Use of Force

SROs may use reasonable force to re-establish order in the event of a disturbance. The definition of reasonable force shall follow the Police Department guidelines. The use of physical force shall only be used to restrain persons for the safety of others. Use of force will be the last option used to re-establish order.

Display/Use of Weapon

While on duty as SROs a police department issued or approved weapon will be worn visibly and in an open fashion. The officer will prominently display the police department shield/badge around the neck or on the belt to which the weapon is affixed. A weapon may be used only as a last resort and when the life of a student, staff, visitors or the SRO is threatened.

Incident Review

SROs shall prepare a report of all incidents occurring during their shifts. If the incident involves one or more students, the report shall be made on the school disciplinary form or incident report. All such reports shall be given to the building principal. At any time the administration can turn over a student discipline case to WLPD. The SRO shall be the point of contact when there is a violation of state or federal law committed by student or staff. The governing laws with respect to Police Powers and Authority shall apply.

If force is used during an incident, the SRO shall prepare a report including a written statement from each person involved in the incident. The Police Department shall review the incident and make a determination as to whether reasonable force was used. A final report shall be made by the Police Department to the building principal and the SRO.

Daily Log

The SRO shall maintain a record of pertinent information that occurred during their shift for further review for other officers.

Time Sheets

The off-duty Police Officer providing security services shall be considered employees of the School Corporation. The work week shall begin at 12:00 a.m. on Sunday and end at 11:59 p.m. on Saturday. The SRO shall follow the payroll procedures as provided at the Principal's office and submit their time sheets accordingly.

Questions and Concerns

The School Corporation invites your questions; concerns or suggestions relating your employment or the security and safety in the schools. They should be directed to Eric Ulrich, Assistant Principal of the Junior/Senior High School, or in his absence to any of the other administrators listed below.

Chain of Command - WLCSC

Ron Shriner, Principal	746-0400, ext. 4602
Dan Walbaum, Associate Principal	746-0400, ext. 4615
Eric Ulrich, Assistant Principal	746-0400, ext. 4627
Shelby Johnson, Asst. Principal / Special Ed Director	269-4503
Joel Strode, Athletic Director	746-0423

Other Contact Personnel – WLSC

School Nurse	746-0400, ext. 4603
Rocky Killion, Superintendent	746-1641
Etta Wesley, Office Secretary	746-0400, ext. 4600

I have received and reviewed a copy of Guidelines for the School Resource Officer.

Name: _____

Date: _____

Policy

BOARD OF SCHOOL TRUSTEES WEST LAFAYETTE COMMUNITY SCHOOL CORPORATION OPERATIONS

8350/page 1 of 1

Confidentiality

It is the policy of the School Board that when the Corporation receives in trust information identified to be confidential (whether such information is confidential by the Indiana Code, Common Law, Privilege Case Law or Federal Law), the Corporation will maintain the confidentiality of said information to prohibit its unauthorized disclosure.

This policy is based upon equal dignity and held "in trust" legal theories, the Corporation may be required to obtain court by:

- A. Denying requests for release of such information absent subpoena or court order, or
- B. Pursuing motions to quash or protective orders to prohibit unauthorized disclosure.

29 U.S.C., Section 1232 g, 34 C.F.R. 99

Revised/Approval 12/06/ZODB

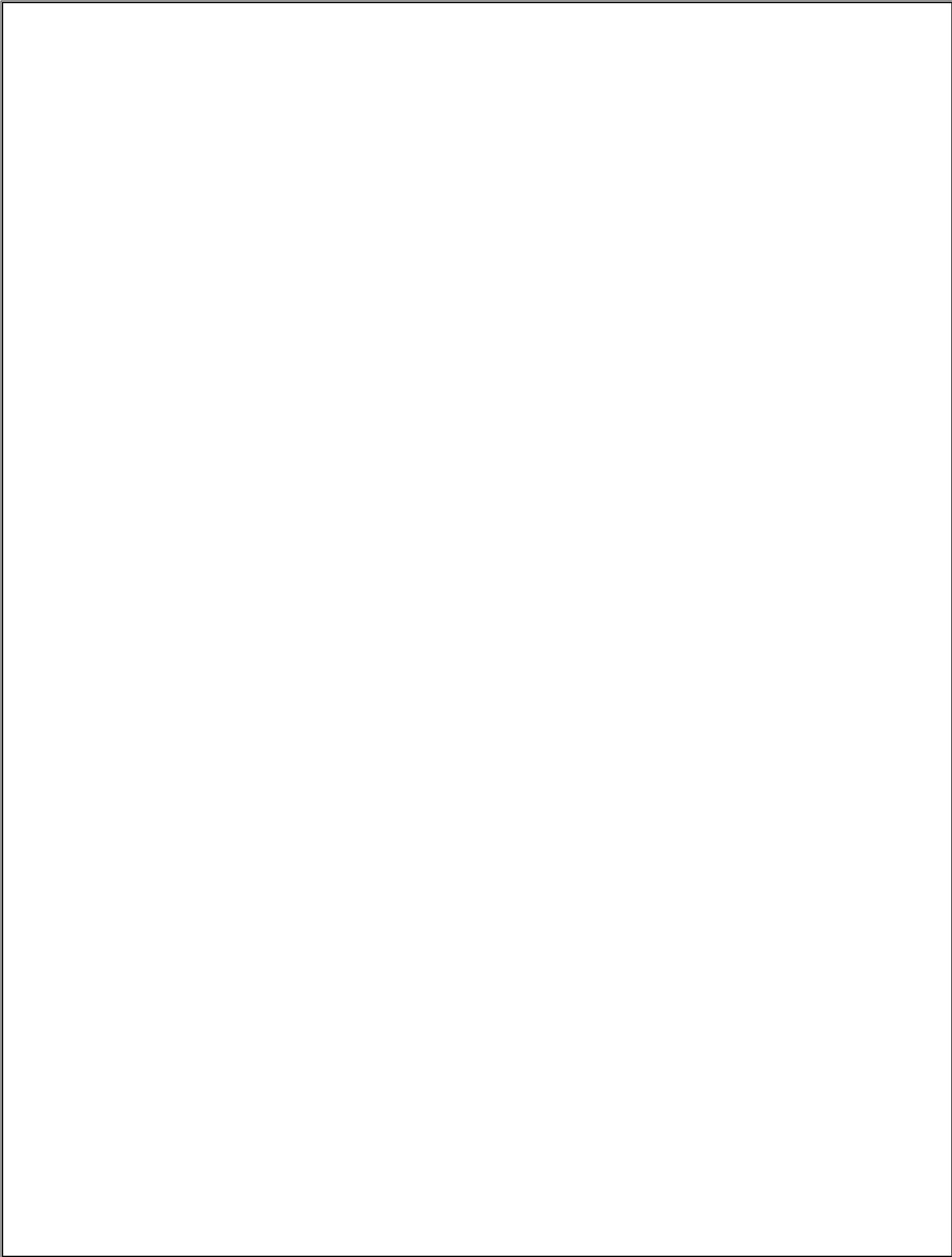
City Employee Personnel Manual 2020.pdf



Personnel Manual

For Civilian Employees

EFFECTIVE: JANUARY 1, 2020



West Lafayette Personnel Manual

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1.00 PURPOSE AND AUTHORITY FOR PERSONNEL POLICIES AND PROCEDURES

1.01 POLICY

This personnel manual has been established to provide a uniform approach to the implementation and administration of the personnel policies of the City of West Lafayette. Every employee is considered a valued member of the City of West Lafayette and is encouraged and expected to read and comply with the contents of this document. It is the City's belief that when consistent personnel policies are communicated and understood, employees have a better opportunity to achieve job satisfaction. **THIS PERSONNEL MANUAL IS NOT A CONTRACT BETWEEN THE CITY AND ITS EMPLOYEES OR A GUARANTEE OF EMPLOYMENT FOR ANY FIXED PERIOD OF TIME. THE CITY REMAINS FREE AT ALL TIMES TO CHANGE WAGES AND ALL OTHER WORKING CONDITIONS, EXCEPT AS OTHERWISE PROVIDED BY LAW OR CONTRACT, WITHOUT CONSULTATION OR AGREEMENT WITH THE EMPLOYEE AND CONTINUES TO HAVE THE POWER TO TERMINATE ANYONE WITH OR WITHOUT CAUSE.**

All employees governed by the personnel manual are "at-will" employees. This personnel manual supersedes and replaces all previous personnel manuals

1.02 GENERAL PROVISIONS

- A. This Personnel Manual governs all City civilian employees. Sworn Firefighters with the West Lafayette Fire Department and Sworn Police Officers with the West Lafayette Police Department are covered by separate standard operating procedures and/or guidelines. This policy supersedes and replaces any previous version of any City personnel manual and shall be effective beginning January 1, 2020.
- B. This Personnel Manual, the West Lafayette Fire Department Standard Operating Guidelines and the West Lafayette Police Department Standard Operating Procedures Manual shall be kept on file in the Human Resources Director's Office.
- C. Policies and procedures found to be in violation of federal law, state statute, or city ordinance shall be declared null and void without effect on other policies and procedures.

2.00 DEFINITIONS

Active Paid Status - An employee is in active paid status when they are drawing earned compensation for employment, or is on paid sick leave, paid personal time, a paid holiday, paid vacation, or using compensatory time.

Board - Refers to the West Lafayette Board of Public Works and Safety or the West Lafayette Board of Parks and Recreation.

City - Refers to the City of West Lafayette, Indiana.

Equal Employment Officer - Refers to Mayor's designee who oversees the City's E.E.O. compliance.

Introductory Period - An employee is in an introductory period for a minimum of 90 calendar days from the start of their employment. This introductory period may be extended in individual cases with the consent of the Department Head and the Human Resources Director. During the introductory period, a newly appointed employee

is required to demonstrate satisfactory performance of the duties of the position. Your status as an at-will employee does not change either during or after this period.

Regular Full-Time - Includes all employees who are regularly scheduled to work at least thirty (30) and up to forty (40) hours per calendar week, and who maintain employment on a year-round basis. Regular full-time employees are entitled to benefits associated with full-time employment.

Regular Part-Time - Includes all employees who are regularly scheduled to work between twenty (20) and thirty (30) hours per calendar week, and who maintain employment on a year-round basis. Regular part-time employees are entitled to accrued leave benefits on a pro rata basis according to their regularly scheduled work week. Regular part-time employees are not eligible for City benefits but may elect to participate in certain qualified voluntary benefits.

Seasonal - Includes all employees whose employment schedule is for a specific seasonal period as determined by a department. Seasonal employees are not eligible for any benefit programs.

Temporary - Includes all employees whose employment schedule is generally short-term, intermittent, or who work less than 20 hours per calendar week on average. Temporary employees are not eligible for any benefit programs. Temporary employment placements are subject to review and change, including termination, at the discretion of the Department Head and the Human Resources Director.

Special Employees - Includes those employees who occupy job positions which may, from time-to-time, be created as a result of grants or supplemental assistance, grants-in-aid or other such funding. Special employees are not eligible for any benefit programs.

3.00 EQUAL EMPLOYMENT OPPORTUNITY AND AMERICANS WITH DISABILITIES ACT

3.01 EQUAL EMPLOYMENT OPPORTUNITY POLICY

The City of West Lafayette is an equal opportunity employer who prohibits discrimination and harassment of any kind. The City is committed to the principle of equal employment opportunity for all employees and to providing employees with a work environment free of discrimination and harassment. All employment decisions are based on business needs, job requirements and individual qualifications, without regard to race, color, creed, religion, ancestry, national origin, sex, disability, age, familial status, status with regard to public assistance, sexual orientation, gender identity, gender expression, and veteran status, in order to provide equal employment opportunity to all employees and applicants for employment in accordance with state and federal law. (See Appendix 2 for comprehensive policy against harassment and discrimination and complaint procedure.)

3.02 AMERICANS WITH DISABILITIES ACT POLICY

It is the policy of the City of West Lafayette not to exclude qualified individuals with disabilities from participation in or benefiting from the services, programs, or activities of the municipality.

In compliance with the Americans with Disabilities Act (ADA) of the Rehabilitation Act of 1973, the City of West Lafayette is committed to removing barriers that prevent

employees with disabilities, who are otherwise qualified, from enjoying the same employment opportunities that are available to those without disabilities. The City of West Lafayette will not discriminate against any qualified employee or applicant with regard to any term or condition of employment because of such individual's physical or mental disability or perceived disability so long as the employee can perform the essential functions of the job, with or without reasonable accommodation. Consistent with this policy of nondiscrimination, the City will provide reasonable accommodations to a qualified individual with a disability, as defined by the ADA, who has made the City aware of their disability, provided that such accommodation does not constitute an undue hardship on the City. This includes making reasonable accommodation to allow individuals with disabilities to participate in the application and hiring process. Employees or applicants with a disability who believe they need a reasonable accommodation should contact their interviewer, immediate supervisor, a department head, or the Human Resources Director. It is the responsibility of an employee who becomes disabled and requires reasonable accommodation to contact their immediate supervisor, a department head, or the Human Resources Director and request reasonable accommodation. A family member, friend, health professional, or other representative may also request a reasonable accommodation on behalf of the disabled employee. The City encourages individuals with disabilities within the meaning of the ADA to come forward and request reasonable accommodation.

4.00 RECRUITING AND SELECTION

The City of West Lafayette is an equal opportunity employer and is committed to selecting and placing the best qualified individuals in open positions consistent with its dedication to equal employment opportunity. If a vacancy occurs in a department, the department head will contact the Human Resources Department to initiate the recruiting and selection process.

4.01 JOB POSTINGS/INTERNAL PLACEMENT

The City recognizes that the development and growth of its employees is critical to the success of the City and it encourages upward mobility by promotion and reassignment of qualified employees to new or vacant positions. When appropriate to do so, the City will post available job opportunities within each department as a means of supporting this purpose. When a vacancy occurs, first consideration shall be given to current employees who are in good standing based on their current performance review and who possess the knowledge, skills and abilities necessary to fill the vacant position. The City is under no obligation to wait a specified period of time before seeking external applicants.

Qualified employees will be interviewed and given consideration, however, there is no guarantee that a qualified internal applicant will be selected to fill a position. Hiring supervisors are under no obligation to interview internal applicants who do not meet the minimum qualifications for the vacancy. Employees must advise their current supervisor of their interest in a posted position. Supervisors shall not retaliate against an employee who applies for a position in another department. An employee selected for a

position through the internal placement process may be retained in their former position until a replacement is obtained, or satisfactory arrangements are made with their present department.

Civilian employees who are transferred between departments will maintain their seniority for accrued leave benefits. The head of the department into which the employee is transferring shall have the discretion of requesting that any unused accrued vacation and/or unused accrued compensatory time be paid to the employee before starting in their new position.

Indiana law reflects existing federal law which prohibits retirements in which a non-civilian member has a formal or informal agreement with an employer to become re-employed in a position after retirement. Members are also required to have a bona fide separation of service in order to be entitled to a benefit from a tax-qualified pension plan such as INPRS. The State mandated separation of employment must be satisfied before starting work as a civilian employee. Non-civilian employees (sworn Fire and Police personnel) who have terminated employment with the City who are re-hired in a civilian position will be entitled to the twenty (20) day maximum vacation allotment. This vacation allotment is prorated during the first calendar year of employment. The re-hired employee will be subject to the normal waiting periods for all other accrued leave and for their health and welfare benefits as for any new employee.

4.02 APPLICATION

All applicants, including internal candidates, will be required to complete the City's standard application form which is available on the City's website. A resume may be used as addendum to the application to provide the information specified in the job notice. The City reserves the right to decline an applicant or to discipline or terminate an employee who has provided false, misleading, erroneous or deceptive information verbally or on an application, resume, or other written materials, or who has omitted information during the hiring process.

4.03 SELECTION

Department heads shall be responsible, after consultation with Human Resources, for choosing the best qualified applicants for openings in their respective departments. Final hiring approval must come from the Board of Public Works and Safety or the Board of Parks and Recreation. This section does not apply to Elected or Appointed Officials.

4.04 NEPOTISM

The City recognizes that members of the same family may desire to pursue similar careers. The City must be sensitive, however, to the potential for favoritism in employment decisions and to the necessity of maintaining professional work relationships. The City's hiring, transfer and promotion processes are therefore subject to the following restrictions:

- A. In no event will any department head employ a relative in their department.
- B. The Parks and Recreation Department will not hire relatives of the Mayor, Clerk, Board of Parks and Recreation or members of the Common Council.
- C. Relatives are prohibited from being employed in positions that result in one being in the direct line of supervision of the other.

- D. In the event of a marriage between employees that results in a violation of the direct reporting prohibition, one of the affected employees must transfer or terminate employment with the City. The City cannot guarantee employment for such individuals.
- E. For purpose of this policy, "relatives" are defined as father, mother, spouse, including married same-sex partner, child, brother, sister, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, stepfather, stepmother, stepson, stepdaughter, niece, nephew, grandparent, uncle, aunt, or first cousin.

A family member shall not automatically be disqualified from employment with the City, but the decision to hire ANY family member of a current employee must be jointly approved by Human Resources and the relevant department head(s).

4.05 SECURITY AND BACKGROUND SCREENING

The City is committed to protecting the security and safety of employees and its citizens as well as safeguarding the assets and resources of the City. Background checks serve as an important part of the employment selection process and are required prior to hiring all full-time, part-time, seasonal, temporary, intern, and volunteer employees regardless of the duration of employment.

The background check may include, but is not limited to: criminal history screening (may include county, state-by-state, and national criminal databases), verification of social security number, prior work verification, certification of academic credentials, credit history, motor vehicle history, drug testing, and other testing deemed relevant based on the nature and duties of the position being sought.

All information obtained through the background check process, including criminal history, is highly confidential and access to such information is limited to those individuals who have a need to know.

Unless otherwise provided by law, having a criminal conviction or poor credit history does not necessarily preclude employment. The nature of the offense and its relevance to the applicant's suitability for the particular position, in particular, whether the individual's employment by the City poses an unacceptable risk, is considered on a case-by-case basis. Human Resources, in consultation with the hiring supervisor, shall evaluate the applicant's suitability for the position and make the final employment determination.

4.06 NEW EMPLOYEE PROCEDURE

Upon acceptance of a job offer, the new employee shall meet with Human Resources on or near their first day of employment, or by appointment to complete all appropriate new hires forms and review personnel policies and benefits. As a condition of employment, every new employee must complete the Immigration and Naturalization Form I-9, with supporting documents within three business days of the date of employment. The City participates in E-Verify and will provide the Social Security Administration and, if necessary, the Department of Homeland Security, with information from the Form I-9 to confirm work authorization. The new employee shall also complete payroll, tax and insurance forms.

Each department head or supervisor should plan a departmental orientation for the new employees in the

department. Departmental orientation will cover all facets of the position that are unique to the department and, therefore, not covered by the general orientation session.

5.00 ATTENDANCE POLICY

Each employee is crucial to the successful completion of the City's daily business. Punctuality and regular attendance are essential functions of each employee's job with the City. Any tardiness or absence causes problems for fellow employees and supervisors. When an employee is absent, others must perform their work.

Employees are expected to report to work as scheduled, on time and prepared to start work. Employees also are expected to remain at work for their entire work schedule, except for break periods or when required to leave on authorized City business. Late arrival, early departure, and leaving City premises during work hours without permission of the employee's supervisor or department head while not on City business are grounds for discipline up to and including termination. For shift employees, the employee shall not leave their post until replaced by the employee for the next shift or until the supervisor relieves him/her.

In the event of an absence or tardiness, employees must provide their supervisor with an honest reason or explanation. Documentation of the reason may be required. Employees also must inform their supervisor of the expected duration of any absence. Absent extenuating circumstances, an employee must contact their supervisor in advance of their regular starting time on any day on which the employee is scheduled to work and will not report to work or will be tardy. This policy applies for each day of an employee's absence. An employee who does not inform their supervisor of their absence from work in advance, without proper explanation or giving a false reason for absence or tardiness are all grounds for disciplinary action up to and including termination. Excessive absenteeism and excessive tardiness may be grounds for discipline up to and including termination of employment. Generally, any unpaid absence not protected by law (e.g., FMLA) will be considered excessive. Each situation of excessive absenteeism or tardiness will be evaluated on a case-by-case basis.

Any employee who, without valid reason, fails to report to work without notification to their supervisor for a period of three days or more will be considered to have terminated the employment relationship.

6.00 HOURS OF WORK

6.01 WORKDAY, WEEK AND PAYROLL WEEK

The Common Council, the Board of Public Works and Safety (for the Wastewater Treatment Utility) or the Board of Parks and Recreation as appropriate, will set the regularly scheduled work hours in compliance with the FLSA. The designated hours of work for each department will be established by the department head with approval from the Mayor. The Clerk can designate the hours of work for the Clerk's staff. Generally speaking, these hours of work will be from 8:00 a.m. to 4:30 p.m. Monday through Friday. Certain offices may need to observe earlier opening hours and later closing hours in order to better serve the public. The payroll week shall be the calendar week beginning Saturday and ending Friday. The payroll period shall consist of two (2) consecutive weeks, with adjustments as needed.

6.02 BREAK PERIODS

Employees are entitled to receive two paid 15-minute breaks during each workday, one during each half of the employee's shift. These breaks are to be taken at a time not disrupting to departmental work activity as judged by the supervisor. Breaks cannot be combined, used to extend a lunch break, arrive to work late, or to leave work early. A break not taken is forfeited.

6.03 NURSING MOTHERS

The City provides support to employees if you are a breastfeeding mother who wishes to take a break during your workday in order to express milk when separated from your infant child(ren). Nursing mothers at City Hall shall be provided access to a private room for expressing breast milk and to cold storage for the milk. Employees working outside of City Hall should contact Human Resources to make arrangements for expressing breast milk at their work location. The frequency of breaks needed to express breast milk as well as the duration of each break may vary. If the employee's department regularly allows breaks during the day, the time spent expressing milk shall run concurrently with the break and not in addition to the break. Any additional time required to express milk shall be taken on the lunch break, which is unpaid.

6.04 OVERTIME AND COMPENSATORY TIME

When operating requirements or other needs cannot be met during regular working hours, employees will be scheduled to work additional hours. When possible, advance notification of these mandatory assignments will be provided. All overtime work must receive prior authorization from the supervisor. Compensatory time may be given as a substitute for overtime pay for exempt and non-exempt employees. Exempt and non-exempt employees who are subject to receiving compensatory time will follow the "Compensatory Time-Off Agreement" attached as Appendix 1.

Non-exempt employees that are not subject to the Compensatory Time-Off Agreement shall receive monetary overtime compensation at a rate of one and one-half (1-1/2) times their regular rate of pay for each hour actually worked over forty (40) hours per workweek. Any exempt employee subject to receiving compensatory time who is required to work additional hours beyond the regularly scheduled workweek, up to forty (40) hours per week, will receive compensatory time on an hour-for-hour basis. The Department in which an exempt employee works may elect to pay straight time for hours worked beyond the regularly scheduled workweek, up to and above forty (40) hours per week.

Holiday, jury duty, and military leaves are considered hours worked for the computation of overtime pay. However, the maximum hours of work credited per day cannot exceed the hours in an employee's regularly scheduled workday. Other absences, including vacation, sick leave, personal days, compensatory time, bereavement leave, or any other leave of absence will not be considered hours worked for the computation of overtime pay. (See Compensatory Time-Off Agreement attached as Appendix 1.)

6.05 MANDATORY CALL-BACK

Non-exempt employees who maintain their availability to come back to work to perform emergency or needed procedures during off-duty hours at the request of a

supervisor or department head will be compensated for a minimum of two (2) hours at the regular rate of pay or for the actual time worked at one and one-half times their regular rate of pay, whichever is greater, regardless of the hours actually worked in the work week. Failure to report for duty within a reasonable time, not to exceed one hour, after being called into work by a supervisor or department head will be grounds for disciplinary action. Failure to inform the supervisor or department head of any change in phone number or address will be grounds for disciplinary action.

This mandatory call-back policy does not apply to those whose work schedule has changed temporarily due to work requirements, such as snow removal, nor to staff assigned to on-call duty. Additionally, this policy does not apply to those who are provided with a take home vehicle.

6.06 ON-CALL

An employee may be required by the department head or supervisor to be available on a stand-by basis, outside scheduled working hours, to respond immediately to a call back to work as required for reasons of operational necessity. This time does not restrict their freedom to conduct personal business and is not required to remain at work or home and is free to engage in personal matters, with the understanding that they must be available by phone or pager. An employee who is on call is required to carry a cell phone, or other immediate contact device. Failure to answer a call or respond within a reasonable time, not to exceed one hour, after being called into work, will be grounds for disciplinary action. Failure to inform the supervisor or department head of any change in phone number(s) and address will be grounds for disciplinary action.

6.07 SPECIAL DUTY PAY

Certain civilian employees of the West Lafayette Police Department are subject to special duty pay for hours worked in connection with Purdue University athletic events. Special duty pay is guaranteed at the rate of one and one-half (1-1/2) times their regular rate of pay regardless of hours worked in the same pay period.

7.00 PAYROLL

Employees are paid bi-weekly (every other Friday), or 26 pays per year. There are two months during the year where there are three pay dates; the third pay date in these two months will not include insurance premium deductions. They will, however, include other deductions such as all mandatory federal, state and local taxes; social security deductions; the employee's portion of retirement contributions; and other voluntary benefit deductions. (See Appendix 3 for Permissible Deductions for Salaried Employees.)

To view your payroll stub, log onto Employee Self Service (ESS), and click on Pay/Tax Information.

8.00 RECORD KEEPING

Accurate recording of time worked is the employee's responsibility. Federal and state laws require the City to keep an accurate record of time worked in order to calculate your pay and benefits. Time worked is defined as time actually spent on the job performing assigned duties. The Controller shall prescribe the method of recording time worked and leave time for all departments.

It is the responsibility of each employee to use the prescribed method of recording their work hours and leave on a biweekly basis and to obtain the approval of their time worked and leave from the department head or their designee. Altering, falsifying, tampering with, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

Employees cannot be required to arrive early, stay late or use their unpaid mealtime to perform work-related activities without being compensated for the additional time. An early start or late departure must be specifically requested and authorized, in advance, by the employee's supervisor (except in an emergency situation). Employees who choose to arrive early or stay late for personal reasons shall be compensated only for the hours actually worked.

When documenting time worked and leave time, the start and end time should round to the nearest quarter of an hour. Count time from one to seven minutes down to the nearest quarter-hour and time from eight to 14 minutes up to the closest quarter-hour. For example, round 8:09 a.m. up to 8:15 a.m. and round 4:05 p.m. down to 4:00 p.m.

8.01 DIRECT DEPOSIT

All employees are expected to participate in the City's mandatory direct deposit program. To initiate the direct deposit authorization to a primary and/or secondary financial institution, employees are required to complete information online through Employee Self Service (ESS). It is the responsibility of the employee to maintain current account information.

8.02 TIME CLOCKS

All employees who use a time clock or other time recording device must clock in at the beginning of their shift and out at the end of their shift. Employees are strictly forbidden to clock other employees in or out. Such actions will be treated as falsification of City records and may result in discharge. Failure to clock in or out may result in disciplinary action.

9.00 EMERGENCY CLOSINGS

The Mayor will determine if emergency conditions exist to close City Hall and/or other departments within the City. Emergencies include, but are not limited to, inclement weather conditions, equipment failure, fire or other forced evacuations.

In the event of an emergency closing, some operations must continue to provide services. Department heads shall predetermine and designate the mandatory/essential operations that will remain open and designate the emergency employees to staff these operations. (e.g., maintenance personnel may be deemed as essential for the on-going operation of a department whereby administrative/clerical personnel may be deemed non-essential to the operation of a department during a closing at the discretion of the department head and depending upon the emergency.) Employees who are designated mandatory/essential will remain at work and will be paid their regular rate of pay up through forty (40) hours actually worked per work week. All non-essential employees will be released and will receive regular pay for all normally scheduled hours not worked due to the emergency closing. Non-essential employees who have been requested by the department head to remain at work to complete a required

work assignment will be compensated at the rate of one and one-half times their regular rate of pay for the time worked beyond the designated close time.

Employees who do not report for work because of weather-related conditions when City Hall and/or their Department is open and City services are available to the public, will be required to use a personal day, vacation leave, or compensatory time.

10.00 APPEARANCE/APPROPRIATE ATTIRE

The City expects all employees to exercise appropriate judgment with regard to personal appearance, dress and grooming to be most effective in the performance of workplace duties. The City recognizes that personal appearance is an important element of self-expression and strives not to control or dictate appropriate employee appearance, specifically with regard to jewelry or tattoos worn as a matter of personal choice.

In keeping with this approach, the City allows reasonable self-expression through personal appearance, unless it conflicts with an employee's ability to perform their position effectively or with their specific work environment, or it is regarded as offensive or harassing toward co-workers or the public.

The City permits employees to wear jewelry or to display tattoos at the workplace within the following guidelines. Factors that management will consider determining whether jewelry or tattoos may pose a conflict with the employee's job or work environment include:

1. Personal safety of self or others, or damage to company property.
2. Productivity or performance expectations.
3. Offensiveness to co-workers, customers, vendors or others in the workplace based on racial, sexual, religious, ethnic, or other characteristics or attributes of a sensitive or legally protected nature.
4. Corporate or societal norms.
5. Customer complaints.

If it is determined that an employee's jewelry or tattoos may present such a conflict, the employee will be encouraged to identify appropriate options, such as removal of excess or offensive jewelry, covering of tattoos, transfer to an alternative position, or other reasonable means to resolve the conflict.

An environment of mutual cooperation, respect, and fair and consistent treatment for all employees is the City's goal. Nonetheless, the City is legally responsible for ensuring that no employees are subject to harassment or a hostile work environment. As an initial step toward resolution of any complaint or offense under this policy, supervisors and managers will be responsible for explaining the policy and answering employee questions. If an agreeable solution cannot be reached at that stage, the Human Resources Director will follow company procedures to determine the appropriate action.

The City requires employees to always appear for work in attire that is "professional" and suitable for the work setting. This may vary from one department to another depending on the nature of the work, exposure to the general public, customers, and the extent to which the employee works outdoors.

Personal appearance and hygiene play an important role in projecting a professional image in the community and to the citizens we serve. An employee's appearance should always reflect what is appropriate for the job, work setting, and personal safety.

Employees should use good judgment and common sense when dressing for work. Unacceptable attire includes but is not limited to sweatpants, leggings or workout attire (leggings may be worn under a dress or skirt of an acceptable length); blouses, shirts or sun dresses with thin straps, low necklines, halter or sheer material, or clothing that is excessively revealing, distracting or provocative; t-shirts with foul or obscene words or graphics; clothing that is torn. If there is doubt as to whether a piece of clothing is appropriate, do not wear it in the workplace. An employee observed wearing unacceptable attire may be sent home to change with a dock in pay.

11.00 GIFTS AND GRATUITIES

No employee of the City shall solicit or accept gifts, gratuities, or special favors from outside vendors, contractors or companies with whom they do business on behalf of the City. An occasional, nominal business courtesy, such as lunch, dinner, or promotional item provided by a vendor, contractor or outside company, is acceptable under this policy.

12.00 ACCESS TO PUBLIC RECORDS

The City is a public agency and all of its records, with certain exceptions, are public records. In general, the public is entitled to access, inspect and copy any of our public records as provided and subject to Indiana Code 5-14-1.5. If you receive a request for public records access or have any questions about public records, you should contact the City Clerk's office.

13.00 CONFIDENTIALITY

In the course of performing their jobs, City employees may be exposed to a variety of information regarding City business and individual members of the public as they interact with City government. Employees are expected to protect the security of confidential information, but to respect and accommodate the public's right to public information. If in doubt regarding the disclosure of specific information, employees should ask their supervisors or department heads for assistance in determining whether information should be released. All requests for records pursuant to Indiana's Access to Public Records Act shall be handled as prescribed in the Access to Public Records policy.

14.00 OUTSIDE EMPLOYMENT

Any employee who is also employed by an entity other than the City, is responsible for notifying their supervisor of this outside employment. Any conflict or potential conflict (such as the outside employer is subject to City regulation or enforcement or is a City vendor) should be discussed with the department head, Human Resources and/or the Mayor as appropriate, who will determine whether a conflict exists. If it is determined that a conflict exists between the employment with the City and outside employment, the employee will be required to choose which employment to

maintain and which to discontinue. If the employee does not choose within two weeks of the decision that a conflict exists, the employee will be terminated from their position with the City. Record of an employee's outside employment and the resolution of any conflict or potential conflict shall be maintained in the employee's file in their department and by Human Resources.

An employee's outside employment must not interfere with the City's scheduling demands, attendance, or performance standards. In addition, you may not perform services on behalf of any other person or employer during your workday for the City.

15.00 DAMAGE TO PERSONAL PROPERTY

The City shall reimburse any employee whose personal property (glasses, dentures, etc.) has been destroyed in the line of duty without negligence or fault by the employee. All claims must be substantiated by the department head and documented with a corresponding invoice. The Board of Public Works and Safety or Board of Parks and Recreation must approve these claims.

The City cannot be responsible and is not liable for loss or damage to your personal property (including, but not limited to, damage to your personal vehicle in our parking areas or used in performing duties for the City.) You should not bring valuables or large amounts of money to work. You should take reasonable precautionary measures in order to secure personal items.

16.00 INFORMATION SYSTEMS ACCEPTABLE USE POLICY

16.01 OVERVIEW

The City of West Lafayette's intentions for publishing an Acceptable Use Policy are not to impose restrictions that are contrary to its established culture of openness, trust and integrity. The City's Information Technology Department is committed to protecting the City and its employees from illegal or damaging actions by individuals, either knowingly or unknowingly.

Internet/Intranet/Extranet-related systems, including but not limited to computer equipment, mobile communication devices, software, operating systems, storage media, network accounts, and electronic communications, are the property of the City of West Lafayette. These systems are to be used for business purposes in serving the interests of the City and its citizens in the course of normal operations. Effective security is a team effort involving the participation and support of every employee who deals with information and/or information systems. It is the responsibility of every information system user to know these guidelines, and to conduct their activities accordingly.

16.02 PURPOSE

The purpose of this policy is to outline the acceptable use of information technology. Inappropriate use exposes the City of West Lafayette to risks including financial risk, compromise of network systems and services, loss of productivity, and legal issues.

16.03 SCOPE

This policy applies to the procurement, use of, and disposal of information systems. Information systems include:

- Electronic and computing devices.

- Network infrastructure and resources used to interact with city networks and systems.
- Systems owned or leased by the City of West Lafayette, the employee, or third parties.

Everyone is responsible for exercising good judgment regarding appropriate use of information, electronic devices, and network resources in accordance with the city policies and local laws and regulations.

16.03 GENERAL USE AND OWNERSHIP

Information stored on electronic and computing devices whether owned or leased by the City, the employee or a third party, remains the sole property of the City of West Lafayette. Employees must be aware that electronic information including but not limited to messages, documents, transaction records, social media activity, etc. may contain sensitive information, and/or be subject to public records retention policies and as such must be handled accordingly. Failure to do so may be punishable by law. Contact the City Clerk if you have questions about public records. If in doubt, treat the information as a public record for retention purposes, but seek guidance on the appropriate policy for distribution of the data, in order to ensure that sensitive or regulated data is not inappropriately released. In short, hold on to and do not distribute data about which you have questions until you receive clarification from the data owner about disposal or distribution.

You have a responsibility to promptly report the theft, loss or unauthorized disclosure of sensitive information.

You may access, use or share sensitive information only to the extent it is authorized and necessary to fulfill your assigned job duties.

Employees are responsible for exercising good judgment regarding the reasonableness of personal use.

For security review and network maintenance purposes, authorized individuals within the City of West Lafayette may monitor equipment, systems and network traffic at any time. Authorization to monitor network traffic shall be in writing, and pre-approved by the Mayor.

The Information Technology Department reserves the right to audit networks and systems on a periodic basis to ensure compliance with city policies.

16.04 INFORMATION SECURITY

System level and user level credentials, including passwords must comply with the Acceptable Authentication and/or Authorization. Providing an access credential to another individual, either deliberately or through failure to secure its access, is prohibited.

All computing devices must be secured with an authentication protected session lock with the automatic activation feature set to 30 minutes or less. Employees must lock the screen or log off when the device is unattended.

Postings by employees from a City of West Lafayette network account to newsgroups, social media sites, weblogs, etc., should be avoided unless authorized by a supervisor to do so as a normal business duty.

Employees should avoid opening e-mail attachments, links, postings, messages, etc. received from unknown senders, or unexpected content from known senders, as this content may be malicious.

16.05 UNACCEPTABLE USE

The following activities are, in general, prohibited. Employees may be exempted from these restrictions during their legitimate job responsibilities.

Under no circumstances is an employee authorized to engage in any activity that is illegal while utilizing the City of West Lafayette information systems.

The lists below are by no means exhaustive but attempt to provide a framework for activities which fall into the category of unacceptable use.

System and Network Activities

The following activities are strictly prohibited, with no exceptions:

1. Violations of the rights of any person or company protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations, including, but not limited to, unauthorized access to systems and the installation or distribution of "pirated" or other software products that are not appropriately licensed for use by the City of West Lafayette.
2. Unauthorized copying of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books or other copyrighted sources, copyrighted music, and the installation of any copyrighted software for which the City of West Lafayette or the end user does not have an active license is prohibited.
3. Accessing data, a server or an account for any purpose other than conducting the City of West Lafayette business, even if you have authorized access, is prohibited.
4. Introduction of services, hosts, and networking equipment into the network environment including, but not limited to, wireless access points, cloud services, internet service, switches, routers, firewalls, non-city owned equipment, data links, network bridges, servers, unmanaged PC's, and unmanaged mobile devices is prohibited without prior authorization from the IT department.
5. Introduction of malicious programs into the network or server (e.g., viruses, worms, Trojan horses, e-mail bombs, etc.).
6. Revealing your account credential (e.g. username and password) to others or allowing unsupervised use of your account by others.
7. Using a City of West Lafayette computing asset to actively engage in procuring or transmitting material that is in violation of sexual harassment, discrimination of any kind, bullying or hostile workplace laws.
8. Making fraudulent offers of products, items, or services originating from any City of West Lafayette account.
9. Effecting security breaches or disruptions of network communication. Security breaches include, but are not limited to, accessing data of which the employee is not an intended recipient or logging into a server or account that the employee is not expressly authorized to access, unless these duties are within the scope of regular duties. For purposes of this section, "disruption" includes, but is not limited to, network sniffing, pinged floods, packet spoofing, denial of service, and forged routing information for malicious purposes.

10. Network, or host scanning unless prior authorization from the City's Director of Information Technology is received in writing.
11. Executing any form of network monitoring which will intercept data not intended for the employee's host, unless this activity is a part of the employee's normal job/duty.
12. Circumventing user authentication or security of any host, network or account.
13. Using any program/script/command, or sending messages of any kind, with the intent to interfere with, or disable, a user's session, via any means, locally or via the Internet/Intranet/Extranet.
14. Providing sensitive information about, or lists of, the City of West Lafayette's employees or citizens to third parties outside the City of West Lafayette government, unless this activity is a part of the employee's normal job/duty and in response to a lawful request.

16.05 POLICY COMPLIANCE

The City of West Lafayette's I.T. team will verify compliance to this policy through various methods, including, but not limited to, business tool reports, internal and external audits, and feedback to the Mayor. Any exception to Section 16.00 of this policy must be approved in advance by the City's Director of Information Technology.

17.00 ELECTRONIC MAIL AND INTERNET USAGE

The purpose of this policy is to promote the productive use of internet and electronic mail resources while preventing the abuse and misuse that can negatively impact productivity and expose the City of West Lafayette to potential liabilities. The use of electronic information is a privilege and requires responsible and ethical use. All employees shall use common sense and sound judgment when utilizing the e-mail or internet system just as they would if they were writing memoranda or letters. All e-mails should be courteous and professional. Examples of unacceptable use of the internet and e-mail include but are not limited to: reviewing non-business related sites or pornographic sites; downloading or copying software from the internet; e-mailing chain letters and other types of mass mailings; and, transmitting messages or materials that violate the City's policy against harassment and discrimination or for transmitting otherwise inappropriate messages or materials that contain defamatory, abusive, harassing, obscene, pornographic, profane, sexually oriented, threatening, racially offensive or otherwise biased, discriminatory, or illegal material, whether self-generated or involuntarily received from inside or outside the City.

Limited personal use of e-mail and the internet should, with infrequent exceptions, occur on the user's own time and shall not interfere with the employee's job responsibilities. Personal use of e-mail and the internet must be consistent with the City's policy on Electronic Mail and Internet Usage. The computer technology and e-mail systems are the property of the City of West Lafayette and are subject to monitoring. All data entered, created, received, stored or transmitted via City systems are considered City Property. Users should be aware that e-mail messages cannot be considered private and may be subject to inspection by

outside third parties and the employee's supervisor, department head or the Human Resources Director.

The use of a password to access the internet or e-mail system does not assure the confidentiality of any message stored in, created, received, or sent from the City e-mail system. Use of passwords or other security measures does not in any way diminish the City's rights to access materials on its system or create any privacy rights of employees in the messages and files on the system. Any password used by a City employee must be provided to their supervisor or department head, as an employee's file may need to be accessed in an employee's absence.

E-mails to and from the City's legal counsel must be treated with special care to protect attorney/client privilege. They should not be forwarded to others (inside or outside the City) without the attorney's prior direction.

Any employee who abuses the privilege of using the City's e-mail system or internet access will be subject to appropriate disciplinary action up to and including termination.

18.00 CELLULAR PHONE USAGE

While at work, employees are expected to exercise the same discretion in using personal cellular phones as is expected for the use of work phones. Personal calls during the work hours, regardless of the phone used, can interfere with employee productivity, safety and be distracting to others. Employees should keep personal calls to a minimum.

Employees who carry City cell phones for business reasons and use features including, but not limited to, cameras, texting, games, music and Internet connectivity are subject to the same rules as in the Electronic Mail and Internet Usage policy.

18.01 DISTRACTED DRIVING

Studies have demonstrated how the use of cell phones while driving pose a significant safety risk to motorists, their passengers and others on the road. Employees whose job responsibilities include driving or equipment operation are expected to refrain from using their cellular device (including hands free) while driving or operating equipment. If acceptance of a call is unavoidable and pulling over is not an option, employees are expected to keep the call short and use hands free options if available. Safety must come before all other concerns.

CDL holders are held to an even higher standard and, regardless of the circumstances, may not use cell phones or any other mobile electronic devices while operating a motor vehicle. This includes, but is not limited to, answering or making phone calls, engaging in phone conversations, reading or responding to emails and text messages, adjusting a Global Positioning System (GPS) and accessing the Internet.

Texting and emailing while driving is never acceptable. State law prohibits the use of a telecommunications device to transmit a text message or electronic mail message while operating a moving motor vehicle. All employees must pull over to a safe place and stop the vehicle before sending or replying to a text or email.

Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions.

Violations of this policy may result in disciplinary action, up to and including termination.

19.00 SOCIAL MEDIA POLICY

City of West Lafayette employees, citizens, and other members of the public use the Internet to obtain information about the City and our services.

The City always expects employees to act responsibly and exercise good judgment and the highest degree of professionalism and confidentiality. This responsibility is particularly important regarding information placed on the Internet about the City and any of its employees. No information about our citizens (whether identified or not) should ever be placed on the Internet.

Information placed on the Internet and data sent via other electronic media (e.g., email, text messages, etc.) can easily end up in the public domain. Absolute privacy of information and data placed on the Internet and sent electronically cannot be guaranteed. If you fail to act responsibly in that regard, the information and content placed on the Internet or communicated via other media can have a harmful effect on the City, its employees, and others associated with us. Employees must be cognizant of the impression you create when information is placed about the City or its employees on the Internet.

With the above in mind, the City has established guidelines to ensure that the City and all persons associated with it are always treated with respect and professionalism. We also want to ensure that anything that is placed in the public domain about the City is in the best interests of the city and that it reflects positively on us. Accordingly, you must adhere to these guidelines regarding information placed on the Internet about the City or its employees, or both:

1. If you create or maintain a web site, blog, or similar internet site about yourself (e.g., Facebook, Twitter, Instagram, LinkedIn, etc.), you must exercise the highest degree of good judgment regarding the material placed on that site or blog. For example, you should ask yourself: "What would a prospective or current citizen think about me or the City, or both, if the citizen sees this material? If the answer is that the citizen might perceive something negative, then the material that may create a negative impression about the individual or the City should not be placed on the site or blog.
2. If you participate in a blog or other site by making comments about public issues, you may not identify yourself as associated with the City, either explicitly or implicitly, unless authorized in writing by the Mayor. Messages about the City on Twitter and other sites are not permitted without prior written authorization. We do allow you to identify your affiliation with the City on LinkedIn, Facebook, and similar sites.
3. Content placed on the Internet or transmitted via other media may not be potentially or defamatory, abusive, threatening, harassing, invasive of privacy, or injurious to you, a citizen, or another individual. Moreover, this content may not violate the City's confidentiality policies.

Employees should not have any expectation of privacy while accessing social media at work or on company-owned equipment.

As is true of all other City policies, a violation of this policy may result in disciplinary action, up to and including termination of employment.

20.00 BENEFITS

Active full-time employees of the City are eligible to participate in a wide range of benefits. Benefits such as Social Security, workers' compensation, and unemployment insurance cover you in the manner prescribed by State law. Health and welfare benefits such as medical, dental, vision, life, and disability insurance are also provided as well as an array of voluntary benefit programs. Some benefit programs require contributions by the employee, while others are fully paid by the City. Employees should refer to their current Employee Benefit Guide for detailed benefit information.

20.01 HEALTH CARE CONTINUATION COVERAGE

The Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their families who lose their health benefits the right to choose to continue group health benefits provided by their group health plan for limited periods of time under certain circumstances such as voluntary or involuntary job loss, reduction in the hours worked, transition between jobs, death, divorce, and other life events. Qualified individuals may be required to pay the entire premium for coverage up to 102 percent of the cost to the plan.

20.02 GROUP INSURANCE FOR PUBLIC EMPLOYEES

Employees who have 20 years of service with a public employer who have completed at least 15 years of participation in the INPRS retirement plan, may remain on the City's group medical insurance plan. This insurance will end when an employee becomes eligible for Medicare.

20.03 INDIANA PUBLIC RETIREMENT SYSTEM ("INPRS")

Full-time civilian employees of the City who are covered by this Policy are required to participate and be enrolled in the Indiana Public Retirement System ("INPRS"). The terms, conditions, benefits, eligibility requirements and contribution rates for INPRS are defined by statute and/or the Fund. Information concerning INPRS is available during an employee's orientation and by contacting the Human Resources Department.

21.00 UNIFORM/CLOTHING ALLOWANCE

A uniform or clothing allowance is granted to qualified personnel pursuant to the annual City budget and payable in two (2) installments (April and October) subject to the availability of funds. This allowance is to purchase, repair and maintain uniforms or clothing. Accrual is calculated on a six-month basis.

The City may purchase uniforms for qualified personnel that consists of apparel with City and departmental identification if the following conditions are met: the apparel is required to be worn during the work day for a work-related purpose, is prohibited from being worn outside of work except *de minimis* (to and from home), shall not be worn by anyone else, and is to be returned upon termination of employment. A violation of the uniform policy may result in disciplinary action and will also result in the uniform being reported as a taxable fringe benefit according to Internal Revenue Service guidelines.

21.01 SAFETY-TOE FOOTWEAR ALLOWANCE

Employees may be required to wear safety-toe protective footwear while performing their job duties. In this instance, safety-toe footwear or work boots are considered Personal Protective Equipment (PPE). The City will provide eligible employees with an annual monetary reimbursement allowance of up to one-hundred fifty (\$150.00) to full-time employees who are required to wear steel/composite safety-toe footwear. Employees will be reimbursed through the A/P claims process once the original purchase receipt is submitted and approved by the employee's supervisor. Employees who choose to wear everyday work boots to perform their job duties, will be solely responsible for the cost of their footwear.

22.00 VACATION

22.01 ELIGIBILITY

Vacation with pay is available to regular full-time and regular part-time employees. Full-time and part-time employees are eligible to use vacation during their first year of partial employment on a pro-rated basis in accordance with Section 21.02. Vacation is awarded on a calendar-year basis. At the Mayor's sole discretion, a department head or other employee may be granted vacation leave in an amount and at a time the Mayor deems appropriate under the circumstances. Seasonal and Temporary employees are not eligible for paid vacation. Vacation leave will not be considered hours worked for the computation of overtime or earning compensatory time.

22.02 AMOUNT OF VACATION

Your vacation allotment during the first partial calendar year of employment will be in accordance with the following schedule:

LENGTH OF SERVICE VACATION DAYS PER YEAR

If employee is hired by:

March 1	10 days
April 1	9 days
May 1	8 days
June 1	7 days
July 1	6 days
August 1	5 days
September 1	4 days
October 1	3 days
November 1	2 days
December 1	1 day

The following shows the vacation you earn annually for each full calendar year of service on January 1.

1-5 years	10 days
6-11 years	15 days
12 or more years	20 days

Regular part-time employees, who are scheduled to work 20 hours or more per week, will be awarded vacation time on a pro rata basis.

22.03 CARRY-OVER PROVISION

An employee may elect to carry over up to five days of accrued vacation into the following calendar year. Excess days will be forfeited at the end of the calendar year.

22.04 REQUESTS FOR VACATION

Vacation leave will be granted at a time which is mutually acceptable to the employee, their supervisor and the department head, consistent with the demands of the department and should be requested of the department head as far in advance as possible. The department head has the

discretionary authority to approve, deny and cancel any vacation leave request for good cause. Each department head may set criteria for vacation scheduling that take into account specific conditions of their department. Vacation time may be taken in 30-minute increments.

22.05 HOLIDAYS DURING VACATION

Paid holidays and official holidays occurring during an employee's vacation period will not be counted against the vacation leave.

22.06 VACATION LEAVE UPON TERMINATION

When an employee terminates, vacation leave which is unused at the time of termination will be granted in the form of compensation for that time. An employee who terminates that was hired prior to January 1, 2020 will also receive accrued vacation leave at the time of termination. The employee's termination date may not be extended to include unused vacation time for the purpose of extending benefits. The employee's effective termination date shall always be the last day worked. If employment is terminated during the introductory period, accrued vacation leave will be paid out at the time of separation.

If an employee fails to give at least fourteen (14) days written notice before resigning from employment, he/she will not be entitled to unused, accrued vacation upon termination.

22.07 INTERRUPTION OF SERVICE

An employee who has worked a minimum of three (3) consecutive years who has an interruption in employment of one year or less shall be credited with prior full-time service. After an interruption of more than one year, a returning employee shall be treated as a new employee for purposes of calculating vacation time earned and shall not receive credit for prior service.

23.00 PERSONAL LEAVE

23.01 POLICY

The City of West Lafayette provides personal leave to employees who must be absent from normal duties to take care of personal business. Personal leave will not be considered hours worked for the computation of overtime pay or earning compensatory time.

23.02 MAXIMUM PERSONAL DAYS GRANTED

After the Training/Orientation Period, a regular full-time employee hired prior to July 1 shall be granted two regularly scheduled workdays of personal leave in a calendar year. Regular part-time employees hired prior to July 1 shall be entitled to 2 days personal leave on a pro rata basis. Personal leave cannot be carried over from one year to the next. Upon termination an employee will not be compensated for unused personal leave. (For Patrol Dispatchers see 20.02 for explanation of personal days.)

23.03 REQUESTING PERSONAL LEAVE

An employee should request personal leave from their supervisor or department head 48 hours in advance of the period to be absent from normal duties unless the need for personal leave is not foreseeable or it is otherwise not possible to make the request in advance. Personal leave may be taken in 15-minute increments, subject to approval by your supervisor and/or department head.

23.04 INTRODUCTORY, SEASONAL AND TEMPORARY EMPLOYEES

Introductory, Seasonal and Temporary employees are not eligible for personal leave.

23.05 EXTENDED LEAVE WITHOUT PAY

The Board or Public Works and Safety, upon the request of a department head, may grant an extended leave without pay and/or fringe benefits to an employee. Extended leave shall total no more than 60 working days, excluding leave taken under the Family and Medical Leave Act. The department head or their designee is responsible for maintaining a permanent record of extended leave for each employee. An employee will not be granted extended leave under this section until he/she has exhausted any unused vacation leave, personal leave and compensatory time.

24.00 HOLIDAYS WITH PAY

24.01 POLICY

The City of West Lafayette designates certain days to be observed as paid holidays in each calendar year for all regular full- and part-time employees. The holiday pay will be based upon the normal scheduled workday. Regular part-time employees shall be entitled to holiday leave on a pro rata basis. Holidays will be considered hours worked for the computation of overtime pay or earning compensatory time.

24.02 DESIGNATED HOLIDAYS

The days of the official holidays for the City of West Lafayette for the succeeding calendar year will be designated by the Mayor and presented by memorandum from the Human Resources Director by December 20th of each year. The Street and Sanitation Department may schedule other days to be observed in lieu of such holidays in order to maintain services. Patrol Dispatchers are entitled to one hundred (100) hours of personal time per calendar year in lieu of the City designated holidays. During the first calendar year of a patrol dispatcher's employment, personal days will be prorated by multiplying .27 by the number of calendar days remaining in the year. Requests for personal days must be submitted to their Head Dispatcher. The Mayor, at his/her discretion, will designate on which days departments and offices of the City of West Lafayette will be open and closed.

24.03 WORKING ON A DESIGNATED HOLIDAY

Wastewater Treatment Utility operators whose normal day off falls upon a designated holiday of the City shall have a regularly scheduled workday off with pay as assigned by the immediate supervisor. The supervisor will schedule the alternate workday off in the same pay period. Parks and Recreation employees who work at a facility required to remain open on a designated City holiday due to business necessity will work the scheduled holiday at their regular rate of pay for the hours worked. A substitute day off will be assigned by the immediate supervisor equal to the hours worked on the holiday. All other employees (other than a police dispatch) who work a designated holiday will be compensated in accordance with the salary ordinance regardless of hours actually worked in the scheduled work week.

24.04 NON-PAID HOLIDAYS

Seasonal and Temporary employees are not eligible for paid holidays.

25.00 BEREAVEMENT LEAVE

The City of West Lafayette provides its regular full-time and part-time employees with bereavement leave to attend the funeral of a family member and to handle personal affairs.

1. Employees will be allowed up to three days of paid leave for the death of a member of the immediate family or household. Immediate family or household includes the employee's spouse including married same-sex partner, sibling, children, parent, stepmother/father, stepchildren, grandchildren, grandparent, spouse's mother/father, stepmother/father, spouse's siblings, or a stepbrother/sister.
2. Employees will be allowed one day of paid leave for the death of an aunt/uncle or a spouse's grandparent.
3. Employees will be allowed one-half day of paid leave to attend a funeral service for a co-worker in the same department.

An employee in need of more than three days for bereavement must use vacation, personal leave, or compensatory time, or seek approval for additional unpaid leave through their department head, who shall review each request on a case-by-case basis. Bereavement leave will not be considered hours worked for the computation of overtime pay or earning compensatory time.

An employee may be asked to provide documentation of the death, such as a newspaper report.

26.00 PAID SICK LEAVE

26.01 POLICY

The City of West Lafayette provides sick leave to its regular employees and allows for the accrual of unused sick leave, within certain limitations. Annual sick leave is a privilege granted to an employee as a protection, IN CASE OF NEED, should he/she become ill and not able to work, should an illness strike a member of the immediate family or for medical appointments of the employee or a spouse or child of the employee. Sick leave will not be considered hours worked for the computation of overtime pay or earning compensatory time. Paid sick leave may be used in one-quarter (1/4) hour increments.

26.02 REGULAR EMPLOYEES

Annual sick leave will accrue at the rate of .0385 hours per regularly scheduled work hours, including all paid leave, for regular full-time employees, but not for hours worked in excess of regularly scheduled work hours. Ninety (90) days is the maximum sick leave which can be accumulated by an employee during the course of their employment. Sick leave will accrue on a pro rata basis for regular part-time employees based on the number of hours scheduled in their work week.

26.03 DOCTOR'S CERTIFICATION

Upon the request of a supervisor or department head, an employee may be required to present a doctor's certificate, signed by the attending physician, to be entitled to paid sick leave.

26.04 SEASONAL AND TEMPORARY EMPLOYEES

Seasonal and Temporary employees are not eligible for paid sick leave.

26.05 SICK LEAVE UPON TERMINATION

Upon termination of employment, employees will be paid for unused sick leave, up to a maximum of 45 full days. Employees hired before May, 1986 who have up to 60 days of accrued sick leave upon termination of employment will be compensated in full for the first 30 days of accrued sick leave, and will be compensated for one half of the next 30 days, for a total of 45 full days of compensation. Employees

hired after May 1986 who have up to 90 days of accrued sick leave upon termination of employment will be compensated for one half of the balance, or a total of 45 full days of compensation.

A day shall mean a regularly scheduled workday for that employee.

If an employee fails to give at least fourteen (14) days written notice before resigning from employment, he/she will not be entitled to unused, accrued sick leave upon termination.

27.00 COURT AND JURY LEAVE

The City of West Lafayette grants employees leave to serve on a jury in any state, federal, or local court without loss of pay. An employee should notify their supervisor or department head upon receipt of a summons. In order to be entitled to jury duty leave, an employee must refund any jury duty compensation from the court to the City by remitting such payment to the Finance Office. While on jury duty leave, the employee will retain all benefits and continue to accrue sick leave and vacation. The duration of the jury duty will be considered hours worked for the computation of overtime pay and earning compensatory time. However, the maximum hours of work credited per day cannot exceed the hours in the employee's regularly scheduled workday. An employee appearing in court on their own behalf, as a subpoenaed witness, or as a party in a lawsuit, is required to use a paid personal day, vacation leave or must take the time off as unpaid leave.

28.00 FAMILY AND MEDICAL LEAVE ACT

28.01 POLICY

The City of West Lafayette provides up to twelve weeks of leave in accordance with the Family and Medical Leave Act ("FMLA") to all eligible employees. The City of West Lafayette utilizes a rolling twelve-month period for the determination of eligibility for FMLA leave.

The Human Resources Manager is responsible for administering the City of West Lafayette's FMLA policy. Any questions about the application of the FMLA to an employee's circumstances or any other questions about the FMLA or this policy should be directed to the Human Resources Manager.

28.02 ELIGIBLE EMPLOYEES

An employee is eligible for FMLA leave if he/she:

- A. has been employed by the City for at least 12 months, and
- B. has been employed by the City for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave.

Employees who do not satisfy these requirements are not eligible for FMLA leave but may be eligible for other leave in accordance with the City of West Lafayette policy.

28.03 REQUIREMENTS

An employee may request a total of 12 weeks (60 workdays) of leave during a 12-month period for the following reasons:

- A. because of the birth of a child of the employee and in order to care for such child;
- B. because of the placement of a child with the employee for adoption or foster care and to care for such child;
- C. in order to care for a husband or wife including married same-sex partner, regardless of residency.; or a son or daughter; or parent of an employee who has a serious

health condition (reasonable documentation of the family relationship may be required), or

- D. because of a serious health condition that makes the employee unable to perform one or more of the essential functions of the employee's position.

"Serious health condition" is a term that is specifically defined in the FMLA. The Human Resources Manager can provide additional information regarding this term.

28.04 PAID AND UNPAID LEAVE

An employee is required to exhaust all accrued paid vacation, personal and sick leave for any part of the 12-week period of FMLA leave, unless the FMLA leave is due to a work-related injury/illness. If an employee is on FMLA leave, the unused accrued leave will remain intact but not accrue during that leave.

After the exhaustion of all accrued paid vacation, personal and sick leave, the remaining time in the FMLA leave period shall be unpaid.

An employee may request to use accrued compensatory time for an FMLA reason. If the employee is paid during the absence from the employee's accrued compensatory time account, it may not be counted against the employee's FMLA leave entitlement.

28.05 REQUEST FOR FMLA LEAVE

If leave is foreseeable, i.e. expected birth or placement of a child, planned medical treatment for a serious health condition of the employee or the employee's spouse including married same-sex partner, child or parent, the employee must notify the Human Resources Manager of the duration of the leave and the date leave will begin at least 30 days in advance of leave commencing. When the need for leave is not foreseeable, or when it is not possible to give 30 days' notice, an employee must give notice as soon as practicable, or within no more than two working days of learning of the need for leave.

In the case of a worker's compensation claim that is also covered by FMLA leave, the Human Resources Manager will notify the employee in writing the effective starting date of the leave.

28.06 FAMILY AND MEDICAL LEAVE TAKEN INTERMITTENTLY OR ON A REDUCED LEAVE BASIS

An employee may take FMLA leave on an intermittent or a reduced leave basis when medically necessary for medical treatment for or recovery from a serious health condition or periods of incapacity due to an employee's or an employee's spouse including married same-sex partner, child, or parent's serious health condition. Such leave must be supported by a certification from the employee's or the employee's spouse including married same-sex partner, child, or parent's health care provider stating that the medical need can best be accommodated through an intermittent or reduced leave schedule.

28.07 TIME LIMIT

The maximum amount of FMLA leave an employee may take is 12 weeks (60 workdays), including all accrued paid vacation, personal and sick leave, within any 12-month period. An employee who has exhausted their 12 weeks and is still unable to return to work due to their serious health condition, may request additional leave as a reasonable accommodation under the Americans with Disabilities Act.

28.08 CERTIFICATION

When the need for leave is foreseeable, the employee should provide the Human Resources Manager with a certification supporting the need for FMLA leave from their health care provider or from the spouse's including married same-sex partner's, child or parent's health care provider before the leave begins. If this is not possible, the employee must provide the certification within 15 calendar days after the City's request for such certification. The certification must be on the form provided by the City and can be obtained from the Human Resources Manager. If the City has reason to doubt the validity of the certification, the employee may be required to obtain a second opinion of a health care provider, designated or approved by the City of West Lafayette, and at the expense of the City of West Lafayette. If the opinion of a third healthcare provider is required, it will be at the expense of the City and the City and the employee must jointly approve the health care provider.

Except as otherwise provided by the Family and Medical Leave Act and accompanying regulations, during a period of FMLA leave, the employee is required to provide to Human Resources subsequent re-certifications every 30 days for the duration of leave.

Upon return from FMLA leave for an employee's serious health condition, the employee shall be required to supply Human Resources with certification, at the employee's expense, from their health care provider that he/she is able to resume work.

28.09 MAINTENANCE OF BENEFITS

During any FMLA leave, the City of West Lafayette shall maintain all group health plan benefits the employee was entitled to at the time the leave commenced. However, the City of West Lafayette will only maintain the portion of the employee's group health plan benefits that it was paying at the time the employee's FMLA leave commenced. It is the responsibility of the employee to pay their portion of their health plan benefits during the period of FMLA leave in a timely manner as specified by the Finance Office.

Employees do not accrue additional seniority or employment benefits during unpaid FMLA leave. An employee returning from FMLA leave is entitled to no greater right, benefit or position than the employee would have been entitled to had he/she not taken the period of FMLA leave.

The City of West Lafayette may recover the premiums paid for maintaining group health plan benefits for the employee during the period of FMLA leave if the employee fails to return because of any reason or circumstance other than the continuation of, reoccurrence or onset of a serious health condition that would entitle the employee to a period of FMLA leave or any other circumstance that is beyond the control of the employee.

28.10 RESTORATION

Subject to 29 C.F.R. § 825.216 and provisions of this policy. Upon return from FMLA leave, an employee is entitled to be restored to the position of employment he/she held at the time the period of leave commenced or to be restored to an equivalent position, with equivalent benefits, pay and other terms and conditions of employment.

28.11 RECORDING OF LEAVE UNDER THE FAMILY AND MEDICAL LEAVE ACT

The Human Resources Manager is responsible for maintaining a permanent record of an employee's FMLA leave.

28.12 CONSEQUENCES OF EMPLOYEE'S FAILURE TO MEET THEIR OBLIGATIONS UNDER THE FMLA

An employee who fails to meet their obligations to the City under the FMLA as described above may be denied the benefits and protections of the FMLA in accordance with applicable law.

28.13 UNLAWFUL ACTS OF EMPLOYERS

The FMLA makes it unlawful for any employer to:

- a) interfere with, restrain, or deny the exercise of any right provided under FMLA;
- b) discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

The FMLA does not affect any federal or state law prohibiting discrimination.

28.14 FMLA – MILITARY FAMILY LEAVE ENTITLEMENTS

The National Defense Authorization Act of 2010 (NDAA 2010) was signed into law on October 28, 2009, this new law includes an expansion of the recently enacted exigency and caregiver leave provisions for military families under the Family and Medical Leave Act of 1993.

28.15 MILITARY CAREGIVER LEAVE

- A. An employee is eligible for military caregiver leave if he/she is the service member's spouse including married same-sex partner, child, parent, or nearest blood relative.
- B. A "Covered Service Member" is a current member of the Armed Forces, including the National Guard, or Reserves.
- C. An eligible employee is limited to a combined total of up to 26 weeks of unpaid leave in a 12-month period.

28.16 QUALIFYING EXIGENCY LEAVE

- A. An employee is eligible for exigency leave if he/she has a spouse including married same-sex partner, son, daughter, or parent on active duty, or has been notified of an impending call or order to active duty, in support of a contingency operation.
- B. Qualifying exigency leave is available to a family member of a military member in the National Guard or Reserves; it only extends to family members of military members in the Regular Armed Forces if deployed on active duty in a foreign country.
- C. An eligible employee may take up to a total of 12 weeks of unpaid leave.
- D. Qualifying exigencies include: short-notice deployment (a week or less in notice of deployment); military events and related activities; urgent child care and related activities; financial and legal arrangements; counseling; rest and recuperation; post-deployment activities; and any other event that the employee and the employer agree is a qualifying exigency.

28.17 NOTICE REQUIREMENTS

- A. Employees seeking to use military caregiver leave must provide 30 days advance notice of the need to take FMLA leave for a planned medical treatment for a serious injury or illness of a covered service member. If 30 days advance notice is not practicable, then he/she must provide notice as soon as practicable – generally, either the same or next business day.

- B. An employee must provide notice of the need for the foreseeable leave due to a qualifying exigency as soon as practicable.

28.18 CERTIFICATION REQUIREMENTS

- A. Leave to care for a covered service member must be supported by a certification completed by an authorized health care provider or by a copy of an Invitational Trade Order (ITO) or Invitational Travel Authorization (ITA) issued to any member of the covered service member's family.
- B. Leave for a qualifying exigency must be supported by a copy of the covered military member's active duty orders and certification providing the appropriate facts related to the particular qualifying exigency for which leave is sought, including contact information if the leave involves meeting with a third party.

29.00 MILITARY FAMILY LEAVE

Effective July 1, 2007, Governor Daniels signed into law the Military Family Leave Act. Under this Act, employees may take up to 10 days of unpaid leave per year during one or more of the following periods:

- A. during the 30-days before active duty orders are in effect,
- B. during a period in which the person ordered to active duty is on leave while active duty orders are in effect,
- C. during the 30 days after the active duty orders are terminated.

29.01 ELIGIBLE EMPLOYEES

An employee is eligible for military family leave if he/she:

- A. is the spouse including married same-sex partner, parent, grandparent, or sibling of the service person, as defined in Ind. Code Section 22-2-13, and
- B. has been employed by the City for at least 12 months, and
- C. has been employed by the City for at least 1,500 hours of service during the 12-month period immediately preceding the commencement of the leave.

29.02 REQUEST FOR LEAVE

Employees must give written notice of a request for leave, including a copy of the active duty order if available, to Human Resources of a request for leave at least 30 days prior to the requested leave, unless the service person's active duty orders are issued less than 30 days prior to the requested leave. If an employee fails to provide verification, the city may consider the employee's absence unexcused.

29.03 MAINTENANCE OF BENEFITS

During any family military leave, the City of West Lafayette shall maintain all group health plan benefits the employee was entitled to at the time the leave commenced. However, the City of West Lafayette will only maintain the portion of the employee's group health plan benefits that it was paying at the time the employee's family military leave commenced. It is the responsibility of the employee to pay their portion of their health plan benefits during the period of family military leave in a timely manner as specified by the Controller.

29.04 RESTORATION

An employee returning from military family leave will be restored to the same or equivalent position of employment he/she held at the time the period of leave commenced unless the reason for not restoring the employee to the same or

equivalent position is unrelated to their use of military family leave.

29.05 PAID AND UNPAID LEAVE

An employee may choose to substitute accrued vacation leave or compensatory time for any or all of the unpaid family military leave.

30.00 MILITARY LEAVE

The City of West Lafayette provides military leave to any City employee who is a member of the Indiana National Guard, a member of a reserve component or branch of the United States Military, or a member of the retired personnel of the naval, air or ground forces of the United States in compliance with the Uniformed Services Employment and Re-employment Rights Act and the Indiana Code. All employees requiring military leave shall give advance notice as soon as practicable to their supervisor of when they shall require military leave. In accordance with I.C. § 10-16-7-5, a City employee is entitled to receive a leave of absence in addition to regular vacation period without loss of time or pay for the time the employee is on training duties of the state of Indiana under the order of the governor as commander in chief; or, for the time a City employee is a member of any reserve component under the order of the reserve component authority. This leave shall be paid military leave for any consecutive or nonconsecutive period that does not exceed a total of fifteen (15) days in any calendar year. Paid military leave pursuant to I.C. § 10-16-7-5 will be considered hours worked for the computation of overtime pay and earning compensatory time. However, the maximum hours of work credited per day cannot exceed the hours in the employee's regularly scheduled workday. A City employee who is a member of the Indiana National Guard is also entitled to military leave of absence in addition to the employee's regular vacation period for the total number of days that the employee is on state active duty in accordance with I.C. § 10-16-7-7. Military leave pursuant to I.C. § 10-16-7-7 shall be unpaid; however, an employee may use their personal leave or vacation on those days when military leave is required. Eligibility for reinstatement after completion of military duty or training is determined in accordance with applicable federal and state laws.

31.00 TOBACCO FREE WORKPLACE POLICY

Effective July 1, 2007, in keeping with Ordinance No. 28-05 and with the City of West Lafayette's intent to provide a safe and healthful work environment for its employees, customers, and visitors, smoking, which includes e-cigarettes or similar vaping devices, is prohibited in any City owned or leased building.

31.01 POLICY

Smoking shall not be permitted in any indoor work area. This includes common work areas, conference and meeting rooms, private offices, elevators, hallways, employee lounges, stairs, restrooms, shops, warehouses, and vehicles used for business. This policy applies to all employees, suppliers, visitors, and customers.

Employees who need to smoke at work may do so during their scheduled 15-minute break period. Each building owned or leased by the City shall establish a smoking area in accordance with this policy and utilize the following guideline:

- Smoking shall occur at a distance not closer than 15 feet from a ventilation system or a public entrance to any area where smoking is prohibited to ensure that tobacco smoke does not enter the area through entrances, windows, ventilation systems or any other means.

31.02 SUPPORT FOR TOBACCO USERS

Tobacco users who want to quit may contact the Human Resources Department for information on tobacco cessation programs and other available resources.

31.03 COMPLIANCE

Compliance with the smoke-free workplace policy is mandatory for all employees and persons visiting the City, with no exceptions. Employees who violate this policy are subject to disciplinary action.

32.00 SAFETY POLICY

The City of West Lafayette and all employees of the City are obligated to comply with the safety standards set by the Occupational Safety and Health Act (OSHA) as well as other federal, state and local regulations. Safety is a shared responsibility. It is the City's responsibility to provide a working environment free of unreasonable health hazards, to provide training and instruction regarding proper working methods, and to make available special clothing and equipment required to protect employees from risks. It is the responsibility of each employee to report safety hazards and violations immediately, to learn and observe established safety regulations and to use the protective equipment provided.

If any employee observes an unsafe condition caused by faulty equipment or work practices, environmental hazards, inadequate training or information, carelessness, or any other factor, he/she shall report it immediately to a supervisor. Any safety hazard that is not addressed should be reported to the department head and/or Human Resources.

Every work-related injury or illness must be reported to a supervisor immediately, but no later than the beginning of the next work shift. The supervisor is responsible to see that a First Report of Injury/Illness form is completed and forwarded within two (2) business days to the Human Resources Manager and the City's workers compensation administrator. Such reporting is necessary to comply with reporting requirements of OSHA, to ensure appropriate treatment and payment and to identify accident trends and prevent recurrences. Coverage may be denied for claims that are not reported on a timely basis.

33.00 WORKPLACE VIOLENCE

33.01 POLICY

The City of West Lafayette seeks to provide a work environment free from violence and threats of violence against individuals, groups, or employees, or threats against company property-including partner violence that may occur on city property. This policy requires that all individuals on company premises or while representing the City conduct him/herself in a professional manner consistent with good business practices and in absolute conformity with non-violence principles and standards.

33.02 DEFINITION

Workplace violence is defined as a single behavior or series of behaviors which constitute actual or potential assault,

battery, harassment, intimidation, threats or similar actions, attempted destruction, or threats to City or personal property; which occur in a City workplace, while using City resources, at a City work location, or while an employee is engaged in City business.

The City strictly prohibits use of violence or threats of violence in the workplace and views such actions very seriously. The possession of weapons in the workplace, threats, threatening or menacing behavior, stalking, or acts of violence against employees, visitors, guests, or other individuals by anyone on City property will not be tolerated. Violations of this policy will lead to disciplinary actions up to and including termination of employment and the involvement of appropriate law enforcement authorities as needed.

Any person who makes substantial threats, exhibits threatening behavior, or engages in violent acts on City premises shall be removed from the property as quickly as safety permits, and may be asked to remain away from City premises pending the outcome of an investigation into the incident. People who commit these acts outside the workplace, but which impact the workplace are also violating this policy and will be dealt with appropriately. The City reserves the right to respond to any actual or perceived acts of violence in a manner it sees fit according to the particular facts and circumstances.

33.03 REPORTING PROCEDURE

Employees are responsible for notifying their supervisor or department head of any threats which they have witnessed, received, or have been told that another person has witnessed or received, including those related to partner violence. Supervisors and/or department heads shall respond promptly by verbally reporting the incident to Human Resources. Even without an actual threat, employees should also report any behavior they have witnessed which they perceived as threatening or violent, when that behavior is job related or might be carried out on a city-controlled site or is connected to city employment. Employees are responsible for making this report regardless of the relationship between the individual who initiated the threat or threatening behavior and the person(s) who were threatened or were the focus of the threatening behavior. If the supervisor or department head is not available, employees should report the threat immediately to Human Resources.

34.00 POSSESSION OF FIREARMS AND WEAPONS

34.01 POLICY

Ensuring a safe work environment and the prevention of workplace violence is of utmost importance to the City of West Lafayette. Weapons inside the workplace pose a potential threat to the safety and security of our employees and to the citizens we serve. The carrying of a firearm of any kind while inside a city facility, inside a company-owned vehicle, or while conducting city business, on or offsite, is strictly prohibited, and will be subject to employee to discipline, up to and including termination.

34.02 BRING YOUR GUN TO WORK ACT

The "Bring Your Gun to Work" Act, allows appropriately licensed employees to bring firearms and ammunition onto the property of their employers as long as the weapons and ammunition are locked in a glove box or trunk or stored out

of plain sight in a locked vehicle. This also applies to employees who may have a concealed carry permit,

33.03 DEFINITIONS

Firearm – means a gun, whether loaded or unloaded, that discharges shot or a projectile by means of an explosive, a gas or compressed air.

34.04 REPORTING OBLIGATIONS

Any employee who is aware of a firearm within a city facility or that an employee has a firearm on their possession while engaging in company business off-site, has an obligation to report this information immediately to their supervisor, or Human Resources.

35.00 WORKPLACE BULLYING

35.01 POLICY

The purpose of this policy is to communicate that the City of West Lafayette will not in any instance tolerate bullying behavior. Employees found in violation of this policy will be disciplined, up to and including termination.

35.02 PROHIBITED CONDUCT

The City defines bullying as repeated inappropriate behavior, either direct or indirect, whether verbal, physical, or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment. Such behavior violates the City's belief that all employees be treated with dignity and respect.

As in sexual harassment, it is the effect of the behavior on the individual that is important. The City considers the following types of behavior examples of bullying:

- a) Verbal bullying: Slandering, ridiculing or maligning a person or their family; persistent name calling that is hurtful, insulting or humiliating; using a person as butt of jokes; abusive and offensive remarks.
- b) Physical bullying: Pushing, shoving, kicking, poking, tripping, assault or threat of physical assault, damage to a person's work area or property.
- c) Gesture bullying: Nonverbal threatening gestures; glances that can convey threatening messages.
- d) Exclusion: Socially or physically excluding or disregarding a person in work-related activities.

36.00 WORKERS' COMPENSATION

36.01 POLICY

In accordance with the Indiana Workers' Compensation Act, the City carries worker's compensation insurance on all City employees in order to provide coverage for injuries and illnesses arising out of and in the course of employment. Such insurance shall include coverage for medical benefits and lost wages.

36.02 REPORTING PROCEDURE

All-work related injuries, no matter how slight, shall be recorded on the First Report of Employee Injury/Illness form and transmitted to the City's insurance carrier within two (2) business days of the injury or illness. A copy of such form shall be forwarded immediately to the Human Resources Manager for record keeping purposes.

The City has the right to direct treatment of work-related injuries. Initial treatment must be provided by the City's designated facility. In the case of an emergency, the employee should be taken to the nearest urgent care or emergency care facility. An employee who chooses to see his or her own personal physician, or any other provider, will

not be eligible for benefits from the City's health plan or from the City's workers' compensation plan.

The City reserves the right to require an employee involved in an accident at work or during work hours or in a City vehicle to submit to drug and alcohol testing as permitted by law.

37.00 USE OF CITY-OWNED VEHICLES

37.01 POLICY

- A. Use of City-owned vehicles is restricted to City employees carrying out the business of the City. Employees must use assigned City vehicles for the purpose(s) authorized and must not permit unauthorized passengers. All other employees are strictly forbidden from using any City vehicles for personal use except for incidental non-business stops, such as lunchtime between business stops.
- B. Only employees authorized by the Mayor may use take-home City vehicles. The Board of Public Works and Safety shall approve the Take Home Vehicle Policy effective January 1 of each year in compliance with the Internal Revenue Code, subject to change at the discretion of the Board of Public Works and Safety.
- C. Vehicles which are not designated for commuting status shall be kept on City premises during non-business hours and shall not be used for personal purposes.
- D. Employees using a City vehicle will be subject to periodic driving record checks by the Bureau of Motor Vehicles at least annually. An employee convicted of a moving violation, an alcohol or drug related offense, or whose license is expired, suspended, or revoked and/or who is unable to obtain required endorsements must notify their department head immediately. The City's property and casualty insurer may determine, based on an employee's driving record, that the employee will no longer be covered under the City's insurance policy. If a non-CDL employee does not meet the City's insurer's standards, he/she may temporarily be placed in a non-driving capacity or may be terminated depending on the employee's position. A CDL driver may be subject to termination if he/she does not meet the City's insurer's standards. If having a driver's license is part of an employee's essential job function, and the employee's driver's license has not been reinstated within thirty (30) days, then the employee is subject to termination.
- E. Damages or accidents involving city vehicles and equipment should be reported to the department head or supervisor immediately.

37.02 COMMERCIAL DRIVER'S LICENSE

Employees required to have a Commercial Driver's License (CDL) must comply with all Department of Transportation drug and alcohol testing procedures and the City's controlled substances policy for CDL drivers. Employees are responsible for keeping their CDL current. Loss of a CDL may result in termination of employment if one of the employee's primary job functions is driving a city-owned vehicle. If one of an employee's primary job functions is driving a vehicle that requires a CDL, and the CDL is suspended for a period not to exceed thirty days, an employee will be suspended from employment for the length

of the CDL suspension. The employee may use accrued personal leave or vacation, but the remainder of the thirty-day period is unpaid. Loss of a CDL may result in termination of employment if one of the employee's primary job functions is driving a vehicle that requires a CDL and the license suspension is for more than thirty days, or regardless of the period of the suspension, if the CDL is suspended for a reason that constitutes a violation of City policy.

38.00 TRAVEL

City employees may be reimbursed for actual miles traveled in their own vehicles to carry out that employee's official City duties, responsibilities or activities, or to obtain approved training, at a rate per mile as fixed by the Board of Public Works and Safety. Reimbursed mileage shall not include travel to and from the employee's home and the governmental office in which he/she works.

When traveling outside the county on official City business, employees may be reimbursed for meals, lodging and other necessary travel expenses. The claim for reimbursement must be itemized and supported by receipts as required by the State Board of Accounts.

39.00 GRIEVANCE PROCEDURE

39.01 POLICY

The City of West Lafayette strives to provide prompt consideration and equitable resolution of employee grievances. It is the desire of the City of West Lafayette to resolve grievances informally whenever practicable. Both supervisors and employees are expected to make a good faith effort to resolve each situation as it arises.

Terminated employees are not eligible for the grievance procedure unless the grievance falls under EEOC, ADA or FMLA. If you believe that you have been terminated due to harassment and discrimination based on sex (with or without sexual conduct) race, color, religion, national origin, ancestry, age, handicap, disability, sexual orientation or protected activity (such as, opposition to prohibited discrimination or participation in the statutory complaint process) or for exercising a right under the FMLA, please refer to Appendix 2.

39.02 PROCEDURE

A grievance should be relayed by an employee to their immediate supervisor, in writing, within the working hours of the day that the event causing the grievance occurred. The supervisor will report the grievance to the department head and the Human Resources Director and will then attempt to resolve the grievance as soon as possible and will render their decision either orally or in writing to the aggrieved within twenty-four (24) hours.

Appeal to the department head: a grievance not resolved by the supervisor must be presented to the department head.

If the aggrieved employee presents the grievance to the department head, it must be in writing, signed and dated by the aggrieved and presented to the department head within two (2) working days of the decision rendered by the supervisor.

The department head will contact the Human Resources Director and will review the grievance and render their written decision to the aggrieved within three (3) working days.

Appeal to the Board of Public Works and Safety or the Board of Parks and Recreation: A grievance not resolved by the supervisor or department head must be written and submitted to the president of the appropriate board by the aggrieved. Grievances originating from the Clerk's Office shall be appealed to the City Council.

- A. The written grievance must be signed and dated by the aggrieved and submitted to the appropriate board within two (2) working days of the decision rendered by the department head. A copy of the written grievance shall be delivered to the Human Resources Director.
- B. The appropriate board shall review the grievance and render a written decision to the aggrieved within three (3) working days of the second regularly scheduled meeting of the appropriate board, following the submission of the grievance.
- C. When resolution is reached, the supervisor or department head must document the resolution. Copies must be forwarded to all involved parties and the Human Resource Director.

40.00 DRUG-FREE WORKPLACE

The City of West Lafayette is committed to providing a drug-free workplace. In order to maintain the highest level of public confidence, safety and reputation of our working environment, the City will take all reasonable measures to ensure that drugs and alcohol do not jeopardize the safety of our operations or the quality of City services. The manufacture, sale, purchase, distribution, dispensation, possession, or illegal use of drugs or alcohol while on City premises, during working hours, including break and meal periods, while operating a City vehicle or while operating any other vehicle while on City business at any time is strictly prohibited. It is also a violation of City policy for an employee to report to work under the influence of alcohol or illegal drugs. These actions constitute serious violations of the City policy and can create situations that are unsafe or that substantially interfere with job performance. If the City has a reasonable suspicion that an employee is under the influence of drugs and/or alcohol, the City will require the employee to undergo a drug and/or alcohol test. The City may also require a drug and/or alcohol test if an employee is involved in an accident at work or during work hours or in a City vehicle. Refusal of testing will result in termination of employment. A positive test result will result in disciplinary action up to and including termination, even for the first violation of this policy.

As a condition of employment with the City of West Lafayette, employees shall:

- i. abide by the terms of the City's Drug Free Workplace Policy; and
- ii. notify the Human Resources Director or the employee's department head of any criminal drug or alcohol statute conviction or guilty plea for a violation occurring in the workplace, during work hours or while operating or occupying a City vehicle or while operating any other vehicle while on City business no later than five (5) days after the conviction or guilty plea.

The City provides a confidential Employee Assistance Program ("EAP") for employees who desire counseling

and/or rehabilitation services. Information regarding the City's EAP is available from the Human Resources Director. City employees who are required to hold a commercial driver's license ("CDL") because of work they may be required to perform as City employees are subject to additional requirements mandated by the U.S. Department of Transportation. A separate policy addresses these additional requirements and will be provided to employees who hold CDLs.

41.00 DISCIPLINARY ACTION

41.01 POLICY

It shall be the duty of all employees to maintain high standards of cooperation, efficiency, economy and ethics in their work for the City of West Lafayette. The department head and/or supervisor shall organize and direct the work of their units to achieve these objectives.

Behavior that fails to meet the City's established standards of performance or conduct will be addressed promptly. Disciplinary action shall be determined by an employee's supervisors, based upon the totality of the circumstances, and shall be appropriate to the severity, frequency and consequences of the employee behavior. Severe offenses, particularly those that are illegal, unethical or dangerous, may warrant immediate suspension or termination.

42.02 DOCUMENTATION

All disciplinary action, including a verbal warning, shall be documented in writing and entered into the employee's official personnel file maintained by the Human Resources Department. In order to protect the employee's privacy, all written records shall be kept confidential, except as prescribed by law, and shall be accessible only to those in the direct chain of command, Human Resources, or others with a specific legal right to the information.

43.03 PROCEDURE

Whenever an employee's work habits, attitude, production or personal conduct falls below the prescribed standard, the department head or supervisor shall point out the deficiencies within a reasonable time after they are observed and remind the employee of the City's acceptable level of performance. A reasonable time to correct the deficiencies may be provided before disciplinary action is taken, depending on the severity of the deficiency.

Any of the offenses listed below may be sufficiently serious to warrant immediate termination. For these or any other infractions, supervisors and department heads shall administer appropriate discipline, which may include any or all the following: coaching and counseling, verbal warning, written reprimand, probation, suspension, demotion or termination. Some incidents warrant immediate formal disciplinary action.

The below list is illustrative, not exhaustive.

41.04 GROUNDS FOR DISCIPLINARY ACTION (including immediate termination):

a) Actions which discredit the City of West Lafayette or hinder the function of City government. Examples of this include, but are not limited to: unacceptable work performance, such as failure to follow operational procedures or other misconduct, inefficiency, neglect of duties, incompetence, insubordination, laziness, sleeping on the job or malfeasance;

- b) providing false or misleading information on the employment application or other employment record, including but not limited to time-keeping records;
- c) falsifying City documents or documents that an employee provides to the City;
- d) discourtesy to citizens or persons doing business with the City;
- e) unauthorized possession of firearms, knives, weapons, explosives and other dangerous or hazardous substances during work hours whether on or off City premises;
- f) violation of the City's attendance policy;
- g) reporting to work under the influence of alcohol or other intoxicants, illegal substances or drugs not prescribed by a practicing physician or dentist, or the use, possession, distribution, transfer or trafficking of these substances on the job, job site or during working hours, including when on break, whether on or off City premises or other violation of the City's Drug Free Workplace Policy;
- h) willful, reckless or careless misuse or abuse of City property;
- i) accidents in a city vehicle determined to be attributable to the driver as the direct result of recklessness, negligence, carelessness, or who openly displays a total disregard for the safe operation of the vehicle and its occupants, pleading guilty or no contest to a crime or being convicted of a crime while employed by the City that is reasonably related to City business, that occurs on City premises or that involves a City vehicle, including but not limited to driving under the influence or moving traffic violations, such as reckless driving or speeding while operating a City vehicle or while on City business;
- j) theft or other removal of City property without authorization;
- k) removal of articles of value without authorization of a property owner while performing City services;
- l) unauthorized use of equipment, willful damage of or tampering with equipment, unauthorized modification or alteration of equipment such as removal of safety guards or devices;
- m) verbal or physical assault by an employee on other City employees or citizens, including but not limited to threatening, intimidating, or harassing fellow employees or members of the public or other disorderly conduct that is a hindrance to the function of City services;
- n) verbally or physically refusing to perform assigned or directed work responsibilities;
- o) behavior which disrupts the work of others or which in any way contributes to a disharmonious or hostile work environment;
- p) engaging in or condoning racial, sexual or other harassment in the workplace or other violation of the City's Equal Employment Opportunity policy;
- q) excessive use of telephone, e-mail or Internet for personal reasons or otherwise conducting personal business during work hours;
- r) failure to work safely, including but not limited to failure to wear required personal protective equipment

or other violations of the Safety Policy listed in this Personal Manual;

- s) working carelessly or otherwise not following safety procedures that result in personal injury to co-workers or damage to City property;
- t) failure to follow any other policy listed in this Personnel Manual.

The above shall not prohibit immediate formal disciplinary action, including discharge, whenever the interest of the City requires such action. The City's use of different types and levels of discipline does not alter the City's policy of employment at will. The City may terminate an individual's employment, or the individual may terminate their own employment, with or without cause and with or without notice, at any time.

42.00 EMPLOYEE CONFERENCES

Employee conferences shall be conducted and documented on at least an annual basis by the department head. At that time, discussions will focus on job performance and goals. Both the supervisor and the employee shall sign the document reflecting the conference. The signature only verifies the accuracy of the written description of the discussion and does not necessarily indicate agreement with the review. The original document shall be maintained in the Human Resources Department and shall only be viewed by the employee's immediate supervisor, department head and Mayor. If the employee is a Clerk's office employee, then the documentation of the employee conference shall only be viewed by the Clerk.

43.00 SEPARATION

Because City employees are at-will employees, their employment may be terminated at any time by either the City or the employee. Subject to the at-will provision, following are conditions relating to different types of employment separation:

43.01 RESIGNATION OR RETIREMENT

To resign in good standing, any employee should give at least fourteen (14) calendar days' prior notice in writing to their supervisor. If an employee fails to give at least fourteen (14) days' notice, he/she will not be entitled to paid, accrued vacation or sick leave upon resignation.

43.02 IMPLIED RESIGNATION

An employee who without valid reason fails to report to work or contact their department head for three (3) consecutive working days without authorization shall be considered as having resigned.

43.03 LAY-OFF

Any involuntary separation other than for disciplinary reasons such as a lack of available work and/or budget constraints, shall be considered a lay-off.

- A. Factors that may be taken into account in determining the order of layoff include performance history, skill level, length of service, and attendance history (excluding leave under the FMLA).
- B. Regular employees to be laid off shall be notified in writing by the supervisor at least fourteen (14) calendar days prior to the effective date of lay-off if feasible.

43.04 RESTRUCTURING

An employee's position is eliminated or significantly changed due to a restructuring within the employee's

department. If possible, department heads will give at least fourteen (14) calendar days' notice before a position is eliminated. The City will make every effort to place employees affected by a restructuring in other available positions, although the City makes no guarantee a suitable position will be available.

43.05 DISABILITY

An employee is totally and permanently disabled and is unable to perform the essential functions of their job, despite reasonable accommodation. In such cases, an employee may be eligible for disability compensation through long-term disability insurance or the Indiana Public Retirement System (INPRS).

43.06 TERMINATION

An employee is discharged for failure to meet job requirements, for violation of the City's employment policies or work rules, or for any other lawful reason.

43.07 DEATH

When a regular employee dies, their estate shall be eligible to receive the earned salary and accrued vacation, payment for compensatory time, accrued clothing allowance, life insurance and sick leave due at the next pay period.

43.08 SEPARATION DATE

The official date of separation is always the last day actually worked, and benefits are calculated up to and including that date. If an employee is on leave when a resignation is tendered or an employee is involuntarily terminated, the effective date will be the date the City is notified of the intent to resign or the date of the termination. In no case can employment be extended by using paid or unpaid time off. Employees will receive their final paycheck(s) via direct deposit into their bank account in accordance with applicable state law. Employee benefits will be affected by employment termination in the following manner.

All accrued, vested benefits that are due and payable at termination will be paid. Some benefits may be continued at the employee's expense if the employee chooses. The employee will be notified in writing regarding benefits that may be continued and of the terms, conditions, and limitations of such continuance.

43.09 EXIT PROCESS

An employee who separates from the City, for whatever reason, will be asked to meet with a representative of the Human Resources Department on or before the last day of employment. The exit interview provides for the uniform treatment of departing employees. It is a vehicle to advise employees of their right of benefits, collect all City property, identify and resolve management problems and obtain data on separations as a basis for analyzing turnover.

If an employee moves after employment is terminated, they should provide the City with a current address so W-2 forms and other pertinent information can be properly and timely delivered.

APPENDIX 1

COMPENSATORY TIME OFF AGREEMENT

Effective April 15, 1986, exempt and non-exempt employees may receive compensatory time off in lieu of monetary overtime compensation in accordance with Section 7(o) of the Fair Labor Standards Act ("FLSA"), and the terms of this Agreement. This Agreement is an express condition of employment. The compensatory time received may be preserved, used or cashed out consistent with §7(o) of the FLSA. This Agreement does not apply to elected officials and, unless compensatory time is authorized by the Mayor in writing, does not apply to department heads and deputy chiefs.

Each department head may set limits on the amount of compensatory time departmental employees can accrue, subject to the following limitations:

Compensatory time off for exempt and non-exempt employees shall be entitled to compensatory time on an hour-for-hour basis for each hour (or portion thereof) worked in excess of 37.5 but less than or equal to 40 in a work week.

Compensatory time off for non-exempt employees required to work beyond forty (40) hours per week, will be earned at the rate of one and one-half (1-1/2) times for each hour (or portion thereof) actually worked over forty (40) hours in an established workweek. Exempt employees will earn compensatory time on an hour-for-hour basis for each hour (or portion thereof) actually worked over forty (40) hours in a workweek. Exempt employees may accumulate up to 40 hours of compensatory time off. Exempt employees may not exceed, nor will they be compensated for additional hours in excess of the 40-hour maximum. Any unused compensatory time exceeding 40 hours by an exempt employee will be forfeited.

Non-exempt employees may accumulate up to 80 hours of compensatory time off. Non-exempt employees will receive monetary compensation at one and one-half (1 1/2) times their regular pay rate at the time of payment for any additional overtime hours. A department head or elected official can elect to pay off all or a portion of the accrued compensatory time anytime during the calendar year.

All accrued compensatory time should be used by the end of the year in which it is accrued. An exception may be made for hours accrued in the final quarter of a year, which should be used in the first quarter of the following year. Accrued time that is not used by a non-exempt employee by year end shall be paid unless budget constraints prohibit such payment, in which case it will be carried over to the immediately following year as an exception to the above terms and conditions.

All overtime work that exceeds the employee's regularly scheduled work week must be approved in advance by the employee's supervisor or department head prior to working overtime, except in an emergency. Unauthorized overtime work may lead to disciplinary action, up to and including termination. Holiday, jury duty, and military leaves will be considered hours worked for the computation of compensatory time. However, the maximum hours of work credited per day cannot exceed the hours in an employee's regularly scheduled workday. Other absences, including vacation, sick leave, personal days, bereavement leave, or any other leave of absence shall not be considered hours

worked for the computation of compensatory time off. Accrued vacation and sick leave cannot be converted to compensatory time off.

You may use earned compensatory time off with the approval of your supervisor. Your request for compensatory time off will be granted within a reasonable period, unless the requested time off would unduly disrupt operations. You will receive compensation based on your regular pay rate in effect when the compensatory time off is actually taken.

The City of West Lafayette may elect to substitute monetary overtime for earned compensatory time off, either at the time overtime is actually worked or in any later period. Monetary overtime compensation will be based on your regular pay rate at the time of payment.

The City of West Lafayette may also elect to apply earned compensatory time off to hours you have missed due to personal absence, short workweeks, layoffs, or leaves of absence, including medical leaves if not covered by paid sick days, disability pay, etc., but excluding leave under the Family and Medical Leave Act. In periods of slack work, it may be necessary to schedule time off, to which earned compensatory time off will be applied.

In the event you leave employment for any reason, you will be paid for earned compensatory time off at your final regular rate of pay, or your average rate during the last three years of employment, whichever is higher.

This Agreement is intended only to set forth our understanding concerning your compensatory time and overtime compensation; it does not constitute an employment agreement or an employment contract. Either you or the City of West Lafayette may terminate your employment at any time and for any lawful reason. In such case, final compensation will be provided for all work actually performed on or before the next regular pay date following termination.

The City of West Lafayette will presume your agreement with and understanding of this condition of employment unless you express your unwillingness to accept compensatory time off in lieu of overtime compensation to the Human Resources Director.

APPENDIX 2

WORKPLACE HARASSMENT POLICY AND COMPLAINT PROCEDURE

It is the policy of the City of West Lafayette that the following types of harassment and discrimination against employees and members of the public are prohibited and will not be tolerated: harassment and discrimination based on race/color, religion, sex (including pregnancy), age, disability, family or parental status, marital status, sexual orientation, gender identity and/or expression, national origin/ancestry, genetic information, or past or present military service, or protected activity (such as, opposition to prohibited discrimination or participation in the statutory complaint process). Prohibited harassment and discrimination demean individual dignity and lower the productivity of the City's workforce in serving the public and is in violation of long-standing policy of the City. This policy covers prohibited harassment and discrimination by anyone in the workplace—supervisors, co-workers, and non-employees.

Responsibility

No employee of the City shall engage in harassment or discrimination based on race/color, religion, sex (including pregnancy) age, disability, family or parental status, marital status, sexual orientation, gender identity and/or expression, national origin/ancestry, genetic information, or present military service, or protected activity (such as, opposition to prohibited discrimination or participation in the statutory complaint process). It is the special responsibility of department heads to ensure that this prohibited harassment or discrimination does not occur and to make it known that prohibited harassment and discrimination are not tolerated in their respective departments.

Employees are subject to this policy while on City premises or acting as City representatives on any occasion. This policy forbids prohibited harassment and discrimination of other employees or any members of the public or other persons with whom the employee has contact in the course of employment.

Prohibited Conduct

A. Discrimination and Harassment

Examples of harassment and discrimination based upon race, color, sex, religion, national origin, ancestry, age, handicap, disability, sexual orientation and protected activity (such as, opposition to prohibited discrimination or participation in the statutory complaint process), may include but are not limited to:

1. A pattern of conduct which has the intent or effect of discomforting or humiliating that may include any of the following: (a) comments regarding sex, race, age, color, religion, national origin, ancestry, handicap, disability, sexual orientation and protected activity (such as, opposition to prohibited discrimination or participation in the statutory complaint process), (b) questions, jokes or anecdotes regarding sex, race, age, color, religion, national origin, ancestry, handicap, disability, sexual orientation and protected activity (such as, opposition to prohibited discrimination or participation in the statutory complaint process), (c) stereotyping based upon sex, race, color, religion, national origin, ancestry, age, handicap, disability or sexual orientation, or (d) remarks about sex, race, color,

religion, national origin, ancestry, age, handicap, disability, sexual orientation and protected activity (such as, opposition to prohibited discrimination or participation in the statutory complaint process).

2. Displays of materials, such as pictures, posters or cartoons, which have the effect of creating a hostile environment based upon sex, race, color, religion, national origin, ancestry, age, handicap, disability or sexual orientation.
3. Discrimination or unfair treatment because of sex, race, age, color, religion, national origin, ancestry, handicap, disability, sexual orientation and protected activity (such as, opposition to prohibited discrimination or participation in the statutory complaint process) in hiring, firing, pay promotion, benefits, working environment or any other job aspect or employment decision.
4. Sexual harassment is one type of sex discrimination. (See "B".)

The existence of all types of prohibited harassment and discrimination, particularly the creation of a "hostile environment", is judged based upon the perception of a reasonable person, as well as the subjective perception of the victim. As an employee or a supervisor, you should be sensitive to whether any behavior is causing discomfort to another person, whether intended or not.

B. Sexual Harassment

Examples of sexual harassment include but are not limited to, sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

1. Submitting to the conduct is an explicit or implicit condition of employment, promotion or advancement or avoiding adverse action or the receipt of City services; or
2. The conduct has the purpose or effect of substantially interfering with an individual's employment or creating an intimidating or hostile or offensive environment for the individual's employment or receipt of City services.

The following are examples of conduct that may constitute sexual harassment:

- a) Physical assault.
- b) Direct propositions of a sexual nature.
- c) Direct or implied threats that submission to sexual advances will be a condition of employment, promotion, advancement or avoiding adverse action.
- d) Unwelcome attention, which is reasonably perceived to be pressure for sexual activity, such as repeated and unwanted staring or comments with sexual overtones.
- e) A pattern of conduct which has the intent or effect of discomforting or humiliating that includes any of the following: (1) comments of a sexual nature, (2) sexually explicit statements, questions, jokes or anecdotes, (3) gender stereotyping, (4) remarks about sexual activities, or (5) unnecessary touching, patting, hugging or brushing against a person's body.
- f) Displays of sexual materials, such as pictures, posters or cartoons, which have the effect of creating a hostile environment.

Amorous or sexual relationships, sexual activity of any kind and requests for sexual activity of any kind, even those that are allegedly "consenting", between any management

employee and any person over whom he/she has any degree of power or authority, are prohibited.

Complaint Procedure

Employees, or members of the public in the case of discrimination in the provision of City services, are strongly encouraged to rely on this policy and the commitment of the City that prohibited harassment and discrimination will not be tolerated.

All employees or members of the public who believe that they have been harassed or discriminated against in any manner because of race, religion, color, sex (including sexual harassment), age, national origin, ancestry, handicap, disability, sexual orientation or protected activity are strongly encouraged to use this procedure. Additionally, all employees who believe that they have been denied an Equal Employment Opportunity (i.e. hiring, firing, lay-off, pay, promotion, benefits, working atmosphere, and any other term, condition, or privilege of employment) in any manner because of race, religion, color, sex (including sexual harassment), age, national origin, ancestry, handicap, disability or sexual orientation are strongly encouraged to use this procedure. Employees or members of the public who believe that they have been discriminated against in violation of the Americans with Disabilities Act and employees who believe their rights under the Family and Medical Leave Act have been interfered with may also use this procedure.

If you are an employee and you believe you have been harassed or discriminated against as described in this policy, you should contact your supervisor as soon as possible. If you believe your supervisor is involved with or engaging in the harassment or discrimination, or if for any other reason you are uncomfortable talking to your supervisor, you may contact the City's Director of Human Resources, Diane Foster at 775-5108 or your department head.

All supervisors who receive complaints of harassment or discrimination or are otherwise aware of harassment or discrimination must immediately report the complaints of harassment or discrimination to the City's Human Resources Director, Diane Foster.

Complaints of harassment and discrimination may be brought by any employee as outlined above. Employees are encouraged to report harassment before it becomes severe or pervasive. The City is committed to preventing harassment and stopping it before it reaches this level.

Any member of the public may report prohibited harassment or discrimination to a department head or the Mayor.

All complaints by employees and members of the public regarding harassment and discrimination will be investigated promptly, thoroughly and impartially in accordance with the City's procedure. The City will protect the confidentiality of allegations of harassment and discrimination to the extent possible.

Employees or members of the public who make complaints of harassment or discrimination or provide information related to such complaints will be protected against retaliation. The City will not tolerate adverse treatment of employees or members of the public because they report harassment or discrimination or provide information related to such complaints.

Employees who feel that they have been harassed or discriminated against on the basis of race, religion, color, sex

(including sexual harassment), age, national origin, ancestry, handicap, disability, or protected activity should also be aware that they have the right to file charges of unlawful harassment or discrimination with the EEOC or Indiana Civil Rights Commission. The deadline for filing a complaint of discrimination with the Indiana Civil Rights Commission is 180 days from the date of unlawful harassment or discrimination, and the deadline for filing a charge of discrimination with the EEOC is in some instances 180 days and in some instances 300 days from the date of unlawful harassment or discrimination, NOT from the date that the complaint to the employer is resolved. You should contact the Indiana Civil Rights Commission and the EEOC to ensure you meet the correct deadline. Although the City intends to fully, promptly and impartially investigate all complaints of harassment and discrimination, employees are not required to wait until the City has completed its investigation to file a charge of discrimination with the EEOC or Indiana Civil Rights Commission.

Employee Discipline

A person directly involved in prohibited harassment or discrimination as described in this policy will be subject to discipline up to and including termination. Any supervisor who knows or reasonably should know that prohibited harassment or discrimination is occurring and fails to act reasonably to halt or prevent the harassment or discrimination will be subject to discipline up to and including termination. All employees, and especially supervisory personnel, have a responsibility to assure that employees and members of the public are not subjected to prohibited harassment or discrimination of any nature by a City employee, including the existence of a "hostile environment."

Making charges of harassment or discrimination that are knowingly or intentionally false may be the basis for discipline.

APPENDIX 3

Permissible Deductions for Salaried Employees

The Fair Labor Standards Act (FLSA) is a federal law which requires that most employees in the United States be paid at least the federal minimum wage for all hours worked and receive overtime pay at time and one-half the regular rate of pay for all hours worked over 40 hours in a workweek.

However, Section 13(a)(1) of the FLSA provides an exemption from both minimum wage and overtime pay for employees employed as bona fide executive, administrative, professional and outside sales employees. Section 13(a)(1) and Section 13(a)(17) also exempt certain computer employees. To qualify for exemption, employees generally must meet certain tests regarding their job duties and be paid on a salary basis at not less than \$684 per week. Job titles do not determine exempt status. In order for an exemption to apply, an employee's specific job duties and salary must meet all the requirements of the Department's regulations.

Salary Basis Requirement

To qualify for exemption, employees generally must be paid at not less than \$684 per week on a salary basis. These salary requirements do not apply to outside sales employees, teachers, and employees practicing law or medicine. Exempt computer employees may be paid at least \$684 on a salary basis or on an hourly basis at a rate not less than \$27.63 an hour.

Being paid on a "salary basis" means an employee regularly receives a predetermined amount of compensation each pay period on a weekly, or less frequent, basis. The predetermined amount cannot be reduced because of variations in the quality or quantity of the employee's work. Subject to exceptions listed below, an exempt employee must receive the full salary for any workweek in which the employee performs any work, regardless of the number of days or hours worked. Exempt employees do not need to be paid for any workweek in which they perform no work. If the employer makes deductions from an employee's predetermined salary, i.e., because of the operating requirements of the business, that employee is not paid on a "salary basis." If the employee is ready, willing and able to work, deductions may not be made for time when work is not available.

Circumstances in Which the Employer May Make Deductions from Pay

Deductions from pay are permissible when an exempt employee: is absent from work for one or more full days for personal reasons other than sickness or disability; for absences of one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness; to offset amounts employees receive as jury or witness fees, or for military pay; or, for unpaid disciplinary suspensions of one or more full days imposed in good faith pursuant to the City's disciplinary policies. Also, an employer is not required to pay the full salary in the initial or terminal week of employment; for penalties imposed in good faith for infractions of safety rules of major significance; or, for weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act. In these circumstances, either partial day or full day deductions may be made.

City Policy

It is the City's policy to comply with the salary basis requirements of the FLSA. Therefore, the City prohibits all supervisors and department heads from making any improper deductions from the salaries of exempt employees. The City wants employees to be aware of this policy and that the City does not allow deductions that violate the FLSA.

What to Do If an Improper Deduction Occurs

If you believe that an improper deduction has been made to your salary, you should immediately report this information to the Human Resources Director who shall in turn report it to the Finance Department.

Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be promptly reimbursed for any improper deduction made.

Canine MOU 2020.pdf



WEST LAFAYETTE POLICE DEPARTMENT

711 WEST NAVAJO • WEST LAFAYETTE, INDIANA 47906
MAIN PHONE: 765-775-5200 • FAX: 765-775-5228

April 2, 2020

To: Canine Officers

Re: Canine Care and Compensation MOU

Fr: Senior Staff

Officers,

The purpose of this document is to promote agreement and cooperation between canine handlers and WLPD. The document is intended to insure proper care and maintenance of the service animal as well as fair compensation for the handler for time expended in this capacity.

Canine Purchase/Handler Training/Health and Wellness

Refer to Department Policy 309

Canine Handler Scheduling and Compensation

The department recognizes, and FLSA rulings require that canine handlers be fairly compensated for time expended for upkeep and training of the service animal. Canine handlers are scheduled to a normal 12 hour night shift rotation. Under this scheduling rotation the canine handler works 14 days per 28 day pay period in the normal shift rotation. Subtracted from the total work hours is one 12 hour Kelly Day per 28 day period. The Kelly Day is used to reduce the total hours worked to 160 hours per 28 day period.

For each 12 hour shift scheduled for a patrol officer, the canine handler is scheduled for 10 hours. Canine handlers are compensated for the full 12 hour shift. In this manner, the department compensates the canine handler up to 26 paid hours per 28 day pay period for upkeep and training of the service animal in the normal shift rotation. All maintenance compensation time will be rescheduled during each 28 day pay period at the discretion of the shift commander in order to maintain shift minimums. The canine handler will be provided 2 hours compensation for upkeep and training on the days worked. During vacations, personal holidays, rescheduled days, days where compensation is used to take a day off, and days where the officer would be away at training without the canine, the 2 hour compensation will be waived.

The department recognizes the need may arise to kennel the service animal during vacations, personal holidays, and rescheduled days. The department agrees to provide for kenneling the service animal up to but not exceeding 10 days during the calendar year. The kennel must be approved by the canine coordinator.

For the purpose of maintaining a well-trained service animal, the department has established training needs for the canine team. Up to 12 hours of training each month for canine handlers and their service animals will be scheduled as on duty hours or days. These 12 hours of training will include training in conjunction with

the Metro Canine training schedule and PUPD Canine training schedule. These 12 hours of training will be approved and scheduled by the canine coordinator.

Shift Commanders will make every attempt to reserve the training dates in the shift schedule book for canine handlers to attend canine training. Training schedules should be submitted as early as possible at the beginning of a new calendar year. This allows Shift Commanders to reserve these dates, in order to maintain shift minimums. In case of a schedule amendment or adjustment during the course of the year, shift minimums will hold precedence.

Chief of Police _____

Date_____

Canine Handler_____

Date_____

WLPD Social Service and Crisis Response Specialist and WLCSC MOU.pdf

**Memorandum of Understanding
between
West Lafayette Police Department and
West Lafayette Community School Corporation**

Purpose

This Memorandum of Understanding (MOU) establishes an agreement between the West Lafayette Police Department (WLPD), specifically the Social Service & Crisis Response Specialist and the West Lafayette Community School Corporation (WLCSC) building administrators and school counselors to permit the sharing of data, information, and materials needed for coordination of services for students and to ensure the safety and wellbeing of the school and the community.

Responsibilities

1. In the event that a student comes in contact with law enforcement, the Social Service & Crisis Response Specialist may contact the school to obtain additional information regarding the student's situation to help identify interventions that will aid in the student's success at home and at school.
2. WLCSC agrees to provide a private and comfortable space for the Social Service & Crisis Response Specialist to meet with a student during school hours.
3. WLCSC agrees to assist with a private process for communicating reminders and allowing passes from class to meet with the Social Service & Crisis Response Specialist, should follow up need to occur with a student during school hours.
4. The Social Service & Crisis Response Specialist is subject to the privacy of information/confidentiality policies established by the Board of Trustees of the School Corporation. The Social Service & Crisis Response Specialist will provide no information concerning any student, staff member, or incident to any unauthorized person or representative of the media. All questions regarding any student, staff member, or incident shall be directed to the appropriate building administrator or school counselor for response.

Duration

This MOU is at-will and may be modified by mutual consent of authorized officials from WLPD and WLCSC. This MOU shall become effective upon signature by the authorized officials from the WLPD and WLCSC and will remain in effect until modified or terminated by any one of the parties by mutual consent. In the absence of mutual agreement by the authorized officials from WLPD and WLCSC, this MOU shall be discontinued by either party with 30 days written notice.

WEST LAFAYETTE COMMUNITY SCHOOL CORPORATION	WEST LAFAYETTE POLICE DEPARTMENT
Name <u>RONALD SHREINER, PRINCIPAL</u>	Name <u>Troy Harris</u>
Signature <u>[Signature]</u>	Signature <u>[Signature]</u>
Date <u>10/4/21</u>	Date <u>10-10-21</u>

2020-CSA-6370 City of West Lafayette.pdf

DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION	
CERTIFICATE OF WAIVER OR AUTHORIZATION	
ISSUED TO Public Agency – City of West Lafayette	Part 91
ADDRESS City of West Lafayette 711 W. Navajo St. West Lafayette, IN 47906	
This certificate is issued for the operations specifically described hereinafter. No person shall conduct any operation pursuant to the authority of this certificate except in accordance with the standard and special provisions contained in this certificate, and such other requirements of the Federal Aviation Regulations not specifically waived by this certificate.	
OPERATIONS AUTHORIZED Operation of small Unmanned Aircraft System(s), weighing less than 55 pounds and operating at speeds of less than 87 knots (100 mph), in Class D, E and G airspace, at or below 400 feet Above Ground Level (AGL), in the vicinity of West Lafayette, under the jurisdiction of Lafayette (LAF) Air Traffic Control Tower (ATCT), Grissom (GUS) Air Force Base Terminal Radar Approach Control (TRACON) and Chicago (ZAU) Air Route Traffic Control Center (ARTCC). See Special Provisions.	
LIST OF WAIVED REGULATIONS BY SECTION AND TITLE N/A	
STANDARD PROVISIONS	
<ol style="list-style-type: none">1. A copy of the application made for this certificate shall be attached and become a part hereof.2. This certificate shall be presented for inspection upon the request of any authorized representative of the Federal Aviation Administration, or of any State or municipal official charged with the duty of enforcing local laws or regulations.3. The holder of this certificate shall be responsible for the strict observance of the terms and provisions contained herein4. This certificate is nontransferable.	
Note-This certificate constitutes a waiver of those Federal rules or regulations specifically referred to above. It does not constitute a waiver of any State law or local ordinance.	
SPECIAL PROVISIONS	
Special Provisions Nos. A thru I, inclusive, are set forth on the reverse side hereof.	
The certificate is effective from August 17, 2020 to August 16, 2022 inclusive, and is subject to cancellation at any time upon notice by the Administrator or his/her authorized representative.	
BY DIRECTION OF THE ADMINISTRATOR	
<u>FAA Central Service Center</u> (Region)	<u>Vonnie L. Giles</u> (Signature)
	<u>Manager, Tactical Operations AJV-C23</u> (Title)

Purpose: To prescribe UAS operating requirements in the National Airspace System (NAS) for the purpose of Public Aircraft Operations. The holder of this COA will be referred herein as the “Proponent”.

Public Aircraft

1. A public aircraft operation is determined by statutes, 49 USC §40102(a) (41) and §40125.
2. All public aircraft flights conducted under a COA must comply with the terms of the statute.
3. All flights must be conducted per the declarations submitted in the application, and as specified in the following Special Provisions.
4. This COA provides an alternate means of complying with 14 CFR §91.113(b) for unmanned aircraft operations.
5. All operations will be conducted in compliance with Title 14 CFR §91 and the conditions of the authorization issued herein. If the operator cannot adhere to any of these requirements, a separate FAA Form 7711-2 waiver application may be required.

SPECIAL PROVISIONS

A. General.

1. All personnel connected with the UAS operation must read and comply with the contents of this authorization and its provisions.
2. A copy of the COA including the special limitations must be immediately available to all operational personnel at each operating location whenever UAS operations are conducted.
3. This authorization may be canceled at any time by the Administrator, the person authorized to grant the authorization, or the representative designated to monitor a specific operation. As a general rule, this authorization may be canceled when it is no longer required, there is an abuse of its provisions, or when unforeseen safety factors develop. Failure to comply with the authorization is cause for cancellation. The proponent will receive a written notice of cancellation.
4. During the time this COA is approved and active, a site safety evaluation/visit may be accomplished to ensure COA compliance, assess any adverse impact on ATC or airspace, and ensure this COA is not burdensome or ineffective. Deviations, accidents/incidents/mishaps, complaints, etc., will prompt a COA review or site visit to address the issue. Refusal to allow a site safety evaluation/visit may result in cancellation of the COA.

Note: This section does not pertain to agencies that have other existing agreements in place with the FAA.

5. Radiofrequency spectrum authorization is independent of the COA process and requires the proponent to obtain Federal Communications Commission (FCC) equipment certification (47 CFR Part 2, Subpart J and 47 CFR Part 87, Subpart D) and frequency licenses (47 CFR Part 87) in the Aeronautical Radio navigation, Aeronautical Mobile (Route), or Aeronautical Mobile Services, as appropriate, for the control link, ATC radios, transponders, detect and avoid systems, and navigation systems used to support this COA. For systems operating exclusively below 400 feet, and within visual line of sight, the control link equipment may be licensed under 47 CFR Part 15 (Radio Frequency Devices). Equipment licensed under 47 CFR Part 5 (Experimental) does not provide the protection necessary for NAS operations.

B. Operations.

1. The UA must be operated within visual line of sight (VLOS) of the Pilot in Command (PIC) and the person manipulating the flight controls at all times unless otherwise specified in a Special Provision. This requires the PIC to be able to use human vision unaided by any device other than corrective lenses. Although the remote PIC and person manipulating the controls must maintain the capability to see the UA, using one or more Visual Observers (VO) allows the remote PIC and person manipulating the controls to conduct other mission-critical duties (such as checking displays) while still ensuring situational awareness of the UA.
2. Must yield right of way to other aircraft, manned or unmanned.
3. First-person view camera cannot satisfy “see-and-avoid” requirement but can be used as long as the visual requirement is satisfied in other ways.
4. Minimum visibility of 3 statute miles from control station.
5. No person may act as a remote pilot in command or VO for more than one unmanned aircraft at one time unless otherwise authorized as a separate provision.

6. No operations from a moving vehicle or watercraft unless the operation is over a sparsely populated area and the PIC and VO are co-located.
7. Lost link must remain within visual line of sight of the PIC and VO.
8. The remote pilot in command may deviate from the requirements of this rule in response to an in-flight emergency.
9. Requests to operate in an area outside the approved operating area of this authorization should be limited to emergency/life threatening operations. Coordinate these flights through the Special Government Interest (SGI) process by calling the SOSOC at (202) 267-8276, or email: 9-ATOR-HQ-SOSC@faa.gov.

C. Notice to Airmen (NOTAM).

1. A Distant (D) NOTAM must be issued prior to conducting UAS operations not more than 72 hours in advance, but not less than 24 hours for UAS operations prior to the operation for routine operations. This requirement may be accomplished:
 - a. Through the operator's local base operations or (D) NOTAM issuing authority, or
 - b. By contacting the NOTAM Flight Service Station at 1-877-4-US-NTMS (1-877-487- 6867). The issuing agency will require:
 - (1) Name and contact information of the pilot filing the (D) NOTAM request
 - (2) Location, altitude and operating area
 - (3) Time and nature of the activity.
2. The area of operation defined in the (D) NOTAM must only be for the actual area to be flown for each day defined by a point and the minimum radius required to conduct the operation.
3. Operator must cancel (D) NOTAMs when UAS operations are completed or will not be conducted.
4. For first responders only. Due to the immediacy of some emergency management operations, the (D) NOTAM notification requirement may be issued as soon as practical before flight and if the issuance of a (D) NOTAM may endanger the safety of persons on the ground, it may be excluded. If the (D) NOTAM is not issued, the proponent must be prepared to provide justification to the FAA upon request.

D. Reporting Requirements.

1. Documentation of all operations associated with UAS activities is required regardless of the airspace in which the UAS operates.
2. The Proponent must submit the number of flights on a monthly basis through the COA Application Processing System (CAPS).

E. Night small UAS Operations.

Small UAS operations may be conducted at night, as defined in 14 CFR § 1.1, provided:

1. All operations under the approved COA must use one or more VOs;
2. Prior to conducting operations that are the subject of the COA, the PIC and VO must be trained to recognize and overcome visual illusions caused by darkness, and understand physiological conditions, which may degrade night vision. This training must be documented

and must be presented for inspection upon request from the Administrator or an authorized representative.

3. The sUA must be equipped with lighted anti-collision lighting visible from a distance of no less than 3 statute miles. The intensity of the anti-collision lighting may be reduced if, because of operating conditions, it would be in the interest of safety to do so. Additionally, in order to comply with § 91.209, the aircraft must have position lighting that enables determination of location altitude, attitude, and direction of flight.

F. Minimum Safe Altitude Operations.

A waiver from the requirements of 14 CFR 91.119(b) and (c) is approved as follows:

1. The ground speed of the small UAS must not exceed 100 mph/87 knots.
2. Except for those operations where it is necessary to safeguard human life, no person may operate a small unmanned aircraft over a human being unless that human being is:
 - a. Directly participating in the operation of the small unmanned aircraft; or
 - b. Located under a covered structure or inside a stationary vehicle that can provide reasonable protection from a falling small unmanned aircraft

Note: People “directly participating in the operation of the small unmanned aircraft” may include qualified non-crewmembers, as defined in § 49 USC 40125.

3. For those operations where it is necessary to operate over a human being in order to safeguard human life, the remote pilot in command must not operate any lower or in proximity to human beings necessary to accomplish the operation.

G. Special Use Airspace.

1. Coordination and de-confliction between Military Training Routes (MTR) and Special Use Airspace (SUA) is the operator’s responsibility. When identifying an operational area the operator must evaluate whether an MTR or SUA will be affected. In the event the UAS operational area overlaps an MTR or SUA, the operator will contact the scheduling agency as soon as practicable in advance to coordinate and de-conflict. Approval from the scheduling agency is required for regulatory SUA, but not for MTR’s and non-regulatory SUA. If no response to coordination efforts, the operator must exercise extreme caution and remain vigilant of all MTRs and/ or non-regulatory SUAs.
2. Scheduling agencies for MTRs are listed in the Area Planning AP/1B Military Planning Routes North and South America. If unable to gain access to AP/1B, contact the FAA at email address mail to: 9-AJV-115-UASOrganization@faa.gov with the IR/VR routes affected and the FAA will provide the scheduling agency information. Scheduling agencies for SUAs are listed in the FAA JO 7400.10.

H. Air Traffic Control Requirements.

1. Coordination Requirements.
 - a. When able, PIC will notify LAF ATCT at 765-743-2611 of proposed operations.
 - b. For UAS operations in Class G airspace, the PIC must monitor the appropriate Common Traffic Advisory Frequency (CTAF) frequency.
2. Flight Planning Requirements.
 - a. The proponent is responsible for reviewing the most current Chart Supplement at

https://www.faa.gov/air_traffic/flight_info/aeronav/digital_products/dafd/search/ for the intended airport of operation to determine operating hours and class of airspace.

- b. The operator is responsible for ensuring that proposed UAS operating area does not enter a UAS flight restricted areas as described under CFR 14 Part 99.7, Temporary Flight Restriction (TFR), Special Security Instruction (SSI). Location and contact information for the TFR SSI is depicted on the FAA website: <http://uas-faa.opendata.arcgis.com/>. Proponent must request permission and receive authorization via the contacts listed on the website prior to entering a TFR SSI.
 - c. It is the operator's responsibility for obtaining authorization from the appropriate authority for any operations that that may result in launching and/or landing from lands or waters administered by a Federal, State or Public agency (e.g., National Parks, State Parks, Wilderness Area, and Wildlife Refuge, etc.).
3. Procedural Requirements.
- a. For UAS operations in Class D and E airspace, the Proponent must review the UASFM before each flight at <https://udds-faa.opendata.arcgis.com/>, open the "Visualize It" section, and reference the intended area of operation.
 - (1) If the UAS operation will be conducted at or below an altitude as published on the UASFM, the UAS may operate contiguously within those grid squares.
 - (2) If the required operating altitude is not in accordance with the published UASFM, or a UASFM map in an area of controlled airspace is not available, refer to Special Provision B9. If Special Provision B9 is not applicable, UAS operations are not authorized.
 - b. The ATC Special Provisions in this COA in conjunction with operations area location, and altitude of operation is an acceptable mitigation of 14 CFR §91.215 requirement concerning the absence of a Mode C transponder.

I. Contingency Procedures.

1. Lost Link Procedures:

- a. If Lost Link occurs while operating in controlled airspace in accordance with the UASFM, the UAS Lost Link profile will remain at or below the published altitudes and within the defined operating area and land.
- b. If Lost Link occurs while operating in Class G airspace, the unmanned aircraft's lost link profile must remain in Class G airspace, at or below 400 feet AGL, and land.
- c. The UAS will not transit or orbit over populated areas.

2. Loss of Sight:

If a VO loses sight of the UA, the PIC must be notified immediately. If the UA is visually reacquired, the mission may continue. If not, the PIC must immediately terminate the operation.

3. Loss of Communication between the PIC and VO:

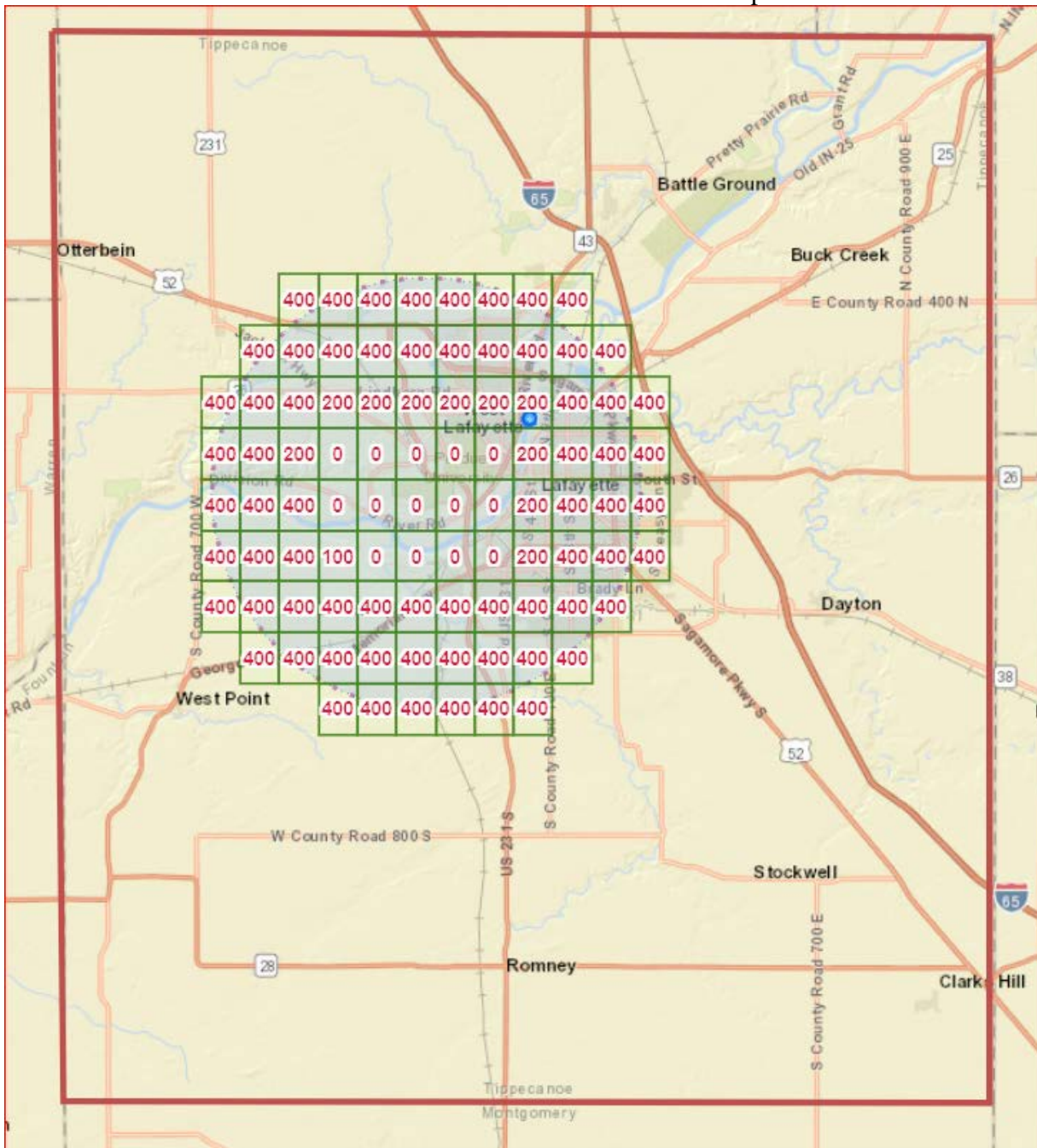
The UAS will return to Lost Link Home point and land. If communications are reestablished, the mission may resume. If communication cannot be promptly re-established, the PIC must land as soon as practical.

AUTHORIZATION

This Certificate of Waiver or Authorization does not, in itself, waive any Title 14 Code of Federal Regulations not specifically stated, nor any state law or local ordinance. Should the proposed operation conflict with any state law or local ordinance, or require permission of local authorities or property owners, it is the responsibility of the proponent to resolve the matter. This COA does not authorize flight within Temporary Flight Restrictions, Special Flight Rule Areas, regulatory Special Use Airspace or the Washington DC Federal Restricted Zone (FRZ) without pre-approval. The proponent is hereby authorized to operate the small Unmanned Aircraft System in the NAS within the areas defined in the Operations Authorized section of the cover page.

Operating Location:
City of West Lafayette
40°33'46"N 87°5'41"W
40°32'57"N 87°5'41"W
40°12'60"N 87°5'31"W
40°12'41"N 86°41'38"W
40°33'46"N 86°41'43"W

Class G Airspace At or below 400 feet AGL
Class D and E surface area within UASFM Grid Map Altitudes



Notice of Victim Rights Under Indiana Law.pdf

Notice of Victim Rights Under Indiana Law

A victim has the right to be fairly treated with fairness, dignity and respect and to be free from intimidation, harassment and abuse throughout the criminal justice process.

A victim has the right to be informed, upon request, when a person who is accused of committing or convicted of committing a crime perpetrated directly against the victim is released from custody or has escaped.

A victim has the right to confer with a representative of the prosecuting attorney's office after a crime allegedly committed against the victim has been charged; before the trial of a crime and before any disposition of a criminal case involving the victim.

A victim has the right to have the victim's safety considered in determining release from custody of a person accused of committing a crime against the victim.

A victim has the right to be heard at any proceeding involving sentencing, post-conviction release decision, or a pre-conviction release decision under any forensic diversion program.

A victim has the right to make a written or oral statement for use in preparation of the presentence report.

A victim has the right to pursue an order of restitution and other civil remedies against the person convicted of a crime against a victim.

A victim has the right to information, upon request, about the disposition of the criminal case involving the victim or the conviction, the sentence, and release of a person accused of committing a crime against the victim.

A victim in a case on appeal is entitled, at no charge, to an electronic copy of the transcript prepared for appeal in the case.

A victim has the right to be informed of the victim's constitutional and statutory rights.

A child less than sixteen year of age who is the victim of a sex offense has the right to confer with the prosecuting attorney before the interview starts.

Victims of sex crimes and child victims of a crime of violence must be identified as "Victim 1" in court documents open to the public.

When a child less than sixteen year of age is summoned as a witness to any hearing in any criminal matter, including a preliminary hearing, a comfort item or comfort animal shall be allowed to remain in the courtroom with the child during the child's testimony unless the court finds that the defendant's constitutional right to a fair trial will be unduly prejudiced.

Rights Notification for Adult Sex Crime Victims

I understand that I am entitled to have a forensic medical examination performed without reporting to law enforcement and without charge to me or my insurance.

I understand that I am entitled to shower at this facility after a forensic medical examination is conducted without charge to me or my insurance.

I understand that law enforcement will maintain custody of the sexual assault kit and evidence collected during the forensic medical examination. If I choose not to report the crime to law enforcement, my identity will remain anonymous.

I understand that I have 365 days to report the sex crime to law enforcement. If I do not report the crime to law enforcement after one year, the sexual assault kit and evidence collected may be destroyed.

I understand that the provider who performed my forensic medical examination will apply to the Indiana Criminal Justice Institute (ICJI) for reimbursement and that the application will include a copy of all medical records relating to my examination and treatment.

I understand that I may register for notification through the web-based claims reimbursement and sexual assault examination kit tracking system and it is my responsibility to notify ICJI of any changes in my home and/or email address.

ICJI Violent Crimes Compensation Fund
101 W. Washington Street, Suite 1170E
Indianapolis, IN 46201-3414

Telephone: 1-800-353-1484; Email: ViolentCrimeCompensation@cji.in.gov

I have received a copy of this document.

Date Received: _____

Signed: _____

2020-CSA-6361 City of West Lafayette.pdf

DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION					
CERTIFICATE OF WAIVER OR AUTHORIZATION					
ISSUED TO Public Agency – City of West Lafayette	Part 91				
ADDRESS City of West Lafayette 711 W Navajo St West Lafayette, IN 47906					
This certificate is issued for the operations specifically described hereinafter. No person shall conduct any operation pursuant to the authority of this certificate except in accordance with the standard and special provisions contained in this certificate, and such other requirements of the Federal Aviation Regulations not specifically waived by this certificate.					
OPERATIONS AUTHORIZED Operation of small Unmanned Aircraft System (UAS) weighing less than 55 pounds and operating at speeds of less than 87 knots (100 mph) in Class G airspace at or below 400 feet Above Ground Level (AGL) for the purpose of public aircraft operations.					
LIST OF WAIVED REGULATIONS BY SECTION AND TITLE N/A					
STANDARD PROVISIONS					
<ol style="list-style-type: none">1. A copy of the application made for this certificate shall be attached and become a part hereof.2. This certificate shall be presented for inspection upon the request of any authorized representative of the Federal Aviation Administration, or of any State or municipal official charged with the duty of enforcing local laws or regulations.3. The holder of this certificate shall be responsible for the strict observance of the terms and provisions contained herein4. This certificate is nontransferable.					
Note-This certificate constitutes a waiver of those Federal rules or regulations specifically referred to above. It does not constitute a waiver of any State law or local ordinance.					
SPECIAL PROVISIONS					
Special Provisions Nos. A thru I, inclusive, are set forth on the reverse side hereof.					
The certificate is effective from July 3, 2020 to July 2, 2022, inclusive, and is subject to cancellation at any time upon notice by the Administrator or his/her authorized representative.					
<p style="text-align: center;">BY DIRECTION OF THE ADMINISTRATOR</p> <table><tr><td><u>FAA Central Service Center</u> (Region)</td><td><u>Vonnie L. Giles</u> (Signature)</td></tr><tr><td colspan="2"><u>Manager, Tactical Operations Team, AJV-C23</u> (Title)</td></tr></table>		<u>FAA Central Service Center</u> (Region)	<u>Vonnie L. Giles</u> (Signature)	<u>Manager, Tactical Operations Team, AJV-C23</u> (Title)	
<u>FAA Central Service Center</u> (Region)	<u>Vonnie L. Giles</u> (Signature)				
<u>Manager, Tactical Operations Team, AJV-C23</u> (Title)					

Purpose: To prescribe UAS operating requirements in the National Airspace System (NAS) for the purpose of Public Aircraft Operations. The holder of this COA will be referred herein as the “Proponent.”

Public Aircraft

1. A public aircraft operation is determined by statutes, 49 USC §40102(a) (41) and §40125.
2. All public aircraft flights conducted under a COA must comply with the terms of the statute.
3. All flights must be conducted per the declarations submitted in the application, and as specified in the following Standard/Special Provisions.
4. This COA provides an alternate means of complying with 14 CFR §91.113(b) for unmanned aircraft operations
5. All operations will be conducted in compliance with Title 14 CFR §91 and the conditions of the authorization issued herein. If the operator cannot adhere to any of these requirements a separate FAA Form 7711-2 Waiver application may be required.

SPECIAL PROVISIONS

A. General

1. All personnel connected with the UAS operation must read and comply with the contents of this authorization and its provisions.
2. A copy of the COA including the special limitations must be immediately available to all operational personnel at each operating location whenever UAS operations are conducted.
3. This authorization may be canceled at any time by the Administrator, the person authorized to grant the authorization, or the representative designated to monitor a specific operation. As a general rule, this authorization may be canceled when it is no longer required, there is an abuse of its provisions, or when unforeseen safety factors develop. Failure to comply with the authorization is cause for cancellation. The proponent will receive a written notice of cancellation.
4. During the time this COA is approved and active, a site safety evaluation/visit may be accomplished to ensure COA compliance, assess any adverse impact on ATC or airspace, and ensure this COA is not burdensome or ineffective. Deviations, accidents/incidents/mishaps, complaints, etc., will prompt a COA review or site visit to address the issue. Refusal to allow a site safety evaluation/visit may result in cancellation of the COA.

Note: This section does not pertain to agencies that have other existing agreements in place with the FAA.

5. Frequency spectrum approval is independent of the COA process and requires the proponent to obtain certification and frequency assignments (licenses) from the National Telecommunications and Information Administration (NTIA) (47 CFR Part 300) or Federal Communications Commission (47 CFR Part 2, Subpart J and 47 CFR Part 87, Subpart D) and frequency licenses (47 CFR Part 87) when applicable for the control link, ATC radios, transponders, detect and avoid systems, and navigation systems used to support this COA. Equipment licensed under 47 CFR Part 5 (Experimental) or 47 CFR Part 15 (Radio Frequency Devices) does not provide the protection necessary for NAS operations.

B. Operations.

1. The UA must be operated within visual line of sight (VLOS) of the Pilot in Command (PIC) and the person manipulating the flight controls at all times. This requires the PIC to be able to use human vision unaided by any device other than corrective lenses. Although the remote PIC and person manipulating the controls must maintain the capability to see the UA, using one or more visual observers (VO)'s allows the remote PIC and person manipulating the controls to conduct other mission-critical duties (such as checking displays) while still ensuring situational awareness of the UA.
2. Must yield right of way to other aircraft, manned or unmanned.
3. First-person view camera cannot satisfy "see-and-avoid" requirement but can be used as long as the visual requirement is satisfied in other ways.
4. Maximum altitude of 400 feet above ground level (AGL) or, if higher than 400 feet AGL, remain within 400 foot radius of a structures upper most limit. In all cases, the UAS must remain within Class G airspace.

5. Minimum visibility of 3 statute miles from control station.
6. No person may act as a remote pilot in command or VO for more than one unmanned aircraft at one time.
7. No operations from a moving vehicle or watercraft unless the operation is over a sparsely populated area and the PIC and VO are co-located.
8. Lost link must remain within visual line of sight of the PIC and VO.
9. The remote pilot in command may deviate from the requirements of this rule in response to an in-flight emergency.
10. Requests to operate in an area outside the approved operating area of this authorization should be limited to emergency/life threatening operations. Coordinate these flights through the Special Government Interest (SGI) process by calling the SOSC at (202) 267-8276, or email: 9-ATOR-HQ-SOSC@faa.gov.

C. Notice to Airmen (NOTAM).

1. A Distant (D) NOTAM must be issued prior to conducting UAS operations not more than 72 hours in advance, but not less than 24 hours for UAS operations prior to the operation for routine operations. This requirement may be accomplished:
 - a. Through the operator's local base operations or (D) NOTAM issuing authority, or
 - b. By contacting the NOTAM Flight Service Station at 1-877-4-US-NTMS (1-877-487- 6867). The issuing agency will require:
 - (1) Name and contact information of the pilot filing the (D) NOTAM request
 - (2) Location, altitude and operating area
 - (3) Time and nature of the activity.
2. The area of operation defined in the (D) NOTAM must only be for the actual area to be flown for each day defined by a point and the minimum radius required to conduct the operation.
3. Operator must cancel (D) NOTAMs when UAS operations are completed or will not be conducted.
4. For first responders only. Due to the immediacy of some emergency management operations, the (D) NOTAM notification requirement may be issued as soon as practical before flight and if the issuance of a (D) NOTAM may endanger the safety of persons on the ground, it may be excluded. If the (D) NOTAM is not issued, the proponent must be prepared to provide justification to the FAA upon request.

D. Reporting Requirements.

1. Documentation of all operations associated with UAS activities is required regardless of the airspace in which the UAS operates.
2. The Proponent must submit the number of flights on a monthly basis through the COA Application Processing System (CAPS).

E. Night small UAS Operations.

Small UAS operations may be conducted at night, as defined in 14 CFR § 1.1, provided:

1. All operations under the approved COA must use one or more VOs;
2. Prior to conducting operations that are the subject of the COA, the remote PIC and VO must be trained to recognize and overcome visual illusions caused by darkness, and understand physiological conditions, which may degrade night vision. This training must be documented and must be presented for inspection upon request from the Administrator or an authorized representative;
3. The sUA must be equipped with lighted anti-collision lighting visible from a distance of no less than 3 statute miles. The intensity of the anti-collision lighting may be reduced if, because of operating conditions, it would be in the interest of safety to do so. Additionally, in order to comply with § 91.209, the aircraft must have position lighting that enables determination of location altitude, attitude, and direction of flight.

F. Minimum Safe Altitude Operations.

A waiver from the requirements of 14 CFR 91.119(b) and (c) is approved as follows:

1. The ground speed of the small UAS must not exceed 100 mph/87 knots.
2. Except for those operations where it is necessary to safeguard human life, no person may operate a small unmanned aircraft over a human being unless that human being is:
 - a. Directly participating in the operation of the small unmanned aircraft; or
 - b. Located under a covered structure or inside a stationary vehicle that can provide reasonable protection from a falling small unmanned aircraft

Note: People “directly participating in the operation of the small unmanned aircraft” may include qualified non-crewmembers, as defined in 49 USC 40125.

3. For those operations where it is necessary to operate over a human being in order to safeguard human life, the remote pilot in command must not operate any lower or in proximity to human beings necessary to accomplish the operation.

G. Special Use Airspace.

1. Coordination and de-confliction between Military Training Routes (MTR) and Special Use Airspace (SUA) is the operator’s responsibility. When identifying an operational area the operator must evaluate whether an MTR or SUA will be affected. In the event the UAS operational area overlaps an MTR or SUA, the operator will contact the scheduling agency as soon as practicable in advance to coordinate and de-conflict. Approval from the scheduling agency is required for regulatory SUA, but not for MTR’s and non-regulatory SUA. If no response to coordination efforts, the operator must exercise extreme caution and remain vigilant of all MTRs and/ or non-regulatory SUAs.
2. Scheduling agencies for MTRs are listed in the Area Planning AP/1B Military Planning Routes North and South America. If unable to gain access to AP/1B, contact the FAA at email address mail to: 9-AJV-115-UASOrganization@faa.gov with the IR/VR routes affected and the FAA will provide the scheduling agency information. Scheduling agencies for SUAs are listed in the FAA JO 7400.10.

H. Flight Planning Requirements.

Operations must only be conducted beyond the following distances from the airport reference point (ARP) of a public use airport, heliport, glider port, or water-landing port listed in the Airport/Facility Directory, Alaska Supplement, or Pacific Chart Supplement of the U.S. Government Flight Information Publications:

1. 5 nautical miles (NM) from an airport having an operational control tower, or
2. 3 NM from an airport having a published instrument flight procedure, but not having an operational control tower, or
3. 2 NM from an airport not having a published instrument flight procedure or an operational control tower, or
4. 2 NM from a heliport.

I. Emergency/Contingency Procedures.

1. Lost Link Procedures:

In the event of a lost link, the UAS pilot will comply with the following provisions:

- a. The UA lost link will be programmed to ensure that lost link flight does not fly over persons and the landing location is within the view of the PIC.
- b. Rally and home locations will be programmed to remain within the area defined in the NOTAM where flight operations are being conducted.
- c. Lost link procedures will not transit or orbit over populated areas, Victor airways, or busy roadways/interstate highways.
- d. Lost link procedures will be programmed to remain within the operations area and altitude, avoid unexpected turn-around and/or altitude changes, and will provide sufficient time to communicate with ATC if necessary.

2. Emergency/Fly-Away Procedures:

- a. In the event of an emergency, the PIC will immediately contact the ATC facility having jurisdiction for the airspace, state the nature of emergency and pilot intentions.
- b. In the event of a UA fly-away, advise ATC of the following:
 - (1) Direction of flight
 - (2) Last known altitude
 - (3) Maximum remaining flight time

AUTHORIZATION

This Certificate of Waiver or Authorization does not, in itself, waive any Title 14 Code of Federal Regulations not specifically stated, nor any state law or local ordinance. Should the proposed operation conflict with any state law or local ordinance, or require permission of local authorities or property owners, it is the responsibility of the proponent to resolve the matter. This COA does not authorize flight within Temporary Flight Restrictions, Special Flight Rule Areas, regulatory Special Use Airspace or the Washington DC Federal Restricted Zone (FRZ) without pre-approval. The proponent is hereby authorized to operate the small Unmanned Aircraft System in the NAS within the areas defined in the Operations Authorized section of the cover page.

**MOU for West Lafayette Police and Fire
with Purdue Police and Fire 2014.pdf**

MEMORANDUM OF UNDERSTANDING – PUBLIC SAFETY APPENDIX

This Memorandum of Understanding is entered into by and between the City of West Lafayette, Indiana ("West Lafayette"), and Purdue University, a public university with its main campus in West Lafayette, Indiana ("Purdue").

WHEREAS, West Lafayette and Purdue have a longstanding practice of cooperating together, including in connection with the operation of their police and fire departments, to create an environment that is beneficial to their mutual interests and to the safety and security of their citizens and residents; and

WHEREAS, although the area known as the Island South (as defined below) is located in and is surrounded by the Purdue campus, through annexation the West Lafayette Police Department and the West Lafayette Fire Department have obtained primary jurisdiction for providing police and fire protection services in that area via the memorandum of understanding of which this appendix is made a part; and

WHEREAS, many of the properties and/or facilities located in the Island are owned or occupied by Purdue, Purdue Research Foundation, or organizations affiliated with Purdue; and

WHEREAS, Purdue police and fire departments are already the primary responders for several properties/areas in the Island South; and

WHEREAS, the Purdue Fire Department will provide advanced life support ambulance services currently being provided by the Tippecanoe Emergency Ambulance Services within the Island South, and areas identified in sections 4, 5 & 6; and

WHEREAS, Purdue's police and fire stations are closer than their West Lafayette counterparts to the Island South, enabling Purdue police officers and fire fighters to respond more quickly in the Island South; and

WHEREAS, IC 20-12-3.5-2(b) authorizes Purdue police officers to exercise their statutory powers and IC 21-39-7-4 provides Purdue Fire with the authority to respond to locations adjacent to the campus, including on real estate owned or occupied by Purdue, including the street passing through and adjacent thereto, and to establish responsibility in other areas by agreement with the chief of police of the municipality where the campus is located; and

WHEREAS, both Purdue and West Lafayette have determined that public safety and overall efficiency would be improved for their mutual benefit if Purdue assumes primary jurisdiction for providing Purdue police and Purdue fire and EMS services in the Island South;

NOW THEREFORE, the parties agree as follows:

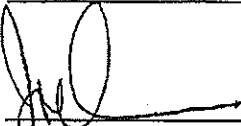
1. Purdue University Police and Fire Departments will maintain the current jurisdictional area of police and fire and EMS coverage, and operational responsibility for Purdue facilities. This will include future Purdue owned academic, university and athletic facilities within the response area.
2. The "Island South" means (i) the US 231 corridor from State Street south to South River Road, (ii) South River Road west to the east property line of the property at 1910 South River Road on the south side of the roadway, (iii) south along the east property line of the property at 1910 South River Road, then west along the south property line of the property, then north along the west property line of the property to South River Road, (iv) South River Road west to the east property line of the property at 2180 South River Road, (v) north along the east property line of the property at 2180 South River Road and continuing north to the Purdue Gravel Pit border north of 1195 Sharon Chapel Road, (vi) west and north along the Purdue Gravel Pit border to the east property line for the property at 1003 South Newman Road, (vii) north along the east property line of 1003 South Newman Road, then continuing north along the west property line for the Purdue Gravel Pit/Purdue Airport Property to the northeast corner of the property at 811 South Newman Road, (viii) west along the north property line of 811 South Newman Road to South Newman Road, (ix) north on South Newman Road to the south property line for 51 South Newman Road, (x) east along the south property line for 51 South Newman Road, then north along the east property line, then west along the north property line to South Newman Road, (xi) north on South Newman Road to the intersection of South Newman Road and Division Road, (xii) east from the intersection of South Newman Road and Division Road along the property line for the Purdue Gravel Pit/Purdue Airport Property to North Sharon Chapel Road, (xiii) north along North Sharon Chapel Road to Newman Road, (xiv) east on Newman Road to State Road 26 West, (xv) east on State Road 26 West to the west edge of the US 231 corridor.
3. On a date to be determined, (i) Purdue Police and Purdue Fire and EMS shall assume primary responsibility and jurisdiction in the Island South to include the intersection of State Street and the new US 231, (ii) the West Lafayette Police Department and West Lafayette Fire Department shall maintain primary responsibility and jurisdiction for providing police and fire service at the intersection of South River Road and US 231, and on South River Road from the intersection of South River Road and US 231 east and north to Ahlers Drive (to include the intersection of Ahlers Drive and South River Road).
4. On a date to be determined, Purdue Police and Purdue Fire and EMS shall assume primary responsibility and jurisdiction on the McCormick Road corridor from State Street north to Stadium Avenue, to include the intersections of State Street and Stadium Avenue.
5. On a date to be determined, Purdue Police and Purdue Fire and EMS will respond to calls for service on the US 231 corridor from State Street north to Cherry Lane in conjunction

with the West Lafayette Police Department, with the West Lafayette Police Department retaining the primary responsibility for investigations, West Lafayette Fire Department will retain primary responsibility for command in this area and each party will report as required by law.

6. On a date to be determined, Purdue Police and Purdue Fire and EMS will respond to calls for service on the McCormick Road corridor from Stadium Avenue north to Cherry Lane, to include Sugar Hill subdivision, in conjunction with the West Lafayette Police Department, with the West Lafayette Police Department retaining the primary responsibility for investigations, West Lafayette Fire Department will retain primary responsibility for command.
7. This Memorandum of Understanding supplements the Mutual Aid Agreement. Both will remain in force until terminated in writing by either party.

City of West Lafayette

By:



John Dennis, Mayor

Date:

3/11/2014

Purdue University

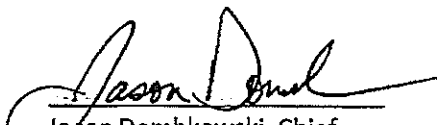
By:


Al V. Diaz, Executive
Vice President and Treasurer

Date:

2/19/14

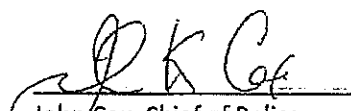
By:


Jason Dombkowski, Chief
of Police

Date:

3/11/2014

By:


John Cox, Chief of Police

Date:

02/24/2014

By:


Timothy Heath, Fire Chief

Date:

3-12-2014

By:


Kevin Ply, Fire Chief

Date:

2/21/14

Legend

 FIRE STATIONS

 POLICE STATIONS

POLICE/ FIRE ANNEX DISTRICTS

 PUFD & PUPD

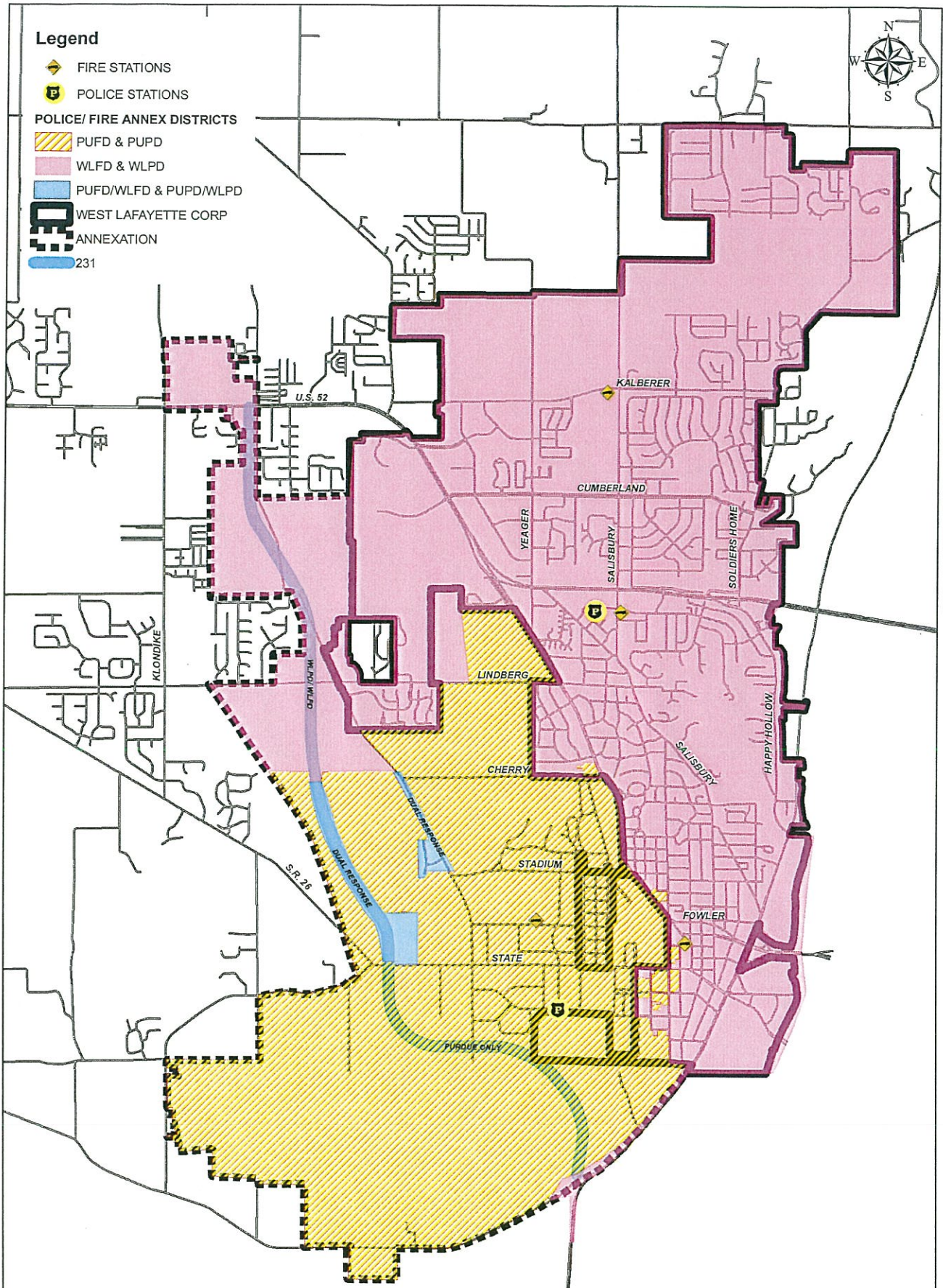
 WLFD & WLPD

 PUFD/WLFD & PUPD/WLPD

 WEST LAFAYETTE CORP

 ANNEXATION

 231



**WEST LAFAYETTE & PURDUE
FIRE & POLICE DISTRICTS**

WLPD THREAT ASSESSMENT (2019).pdf

WEST LAFAYETTE POLICE DEPARTMENT THREAT ASSESSMENT FOR WARRANT SERVICE

Date:

CASE #:

Officer:

Search Warrant ☐

Arrest Warrant ☐

Search Warrant Location:

Arrest Warrant Name:

DOB

I. Suspect Assessment	Yes	No	Unknown	Points
A. Known to use or propensity for violence:				
1. Homicide*				
2. Armed Robbery**				
3. Assault				
4. Resisting Arrest**				
5. Assault on Peace Officer**				
6. Other:				
B. Is suspect on parole?				
C. Is suspect on probation?				
D. Is suspect a drug abuser?				
<i>If yes, what type(s)?</i>				
E. Is suspect an alcohol abuser?				
<i>If yes, does suspect have a history of violence while intoxicated?</i>				
F. Is suspect mentally unstable?				
<i>If yes, describe condition:</i>				
<i>From where was this info obtained?</i>				
G. Does suspect have military/police background?**				
<i>If yes, describe branch of service/department, length of service, specialties, etc.</i>				
H. Is the suspect currently/historically associated with an organization which is known or suspected of violent criminal				
<i>If yes, what group or organization?</i>				
<i>Can the organization be classified as:</i>				
1. Paramilitary				
2. Terrorist				
3. Religious Extremist				
4. Gang				
5. Other:				
	Total from "Suspect Assessment"			0
"Yes" = 2 points "No" = 0 points "Unknown" = 1 Point				
* If "Yes" Consult on activation of SRT, If "Unknown" 10 points ** If "Yes", double the point value				
II. Offense Assessment	Yes	No	Unknown	Points
A. Is the offense a felony?				
<i>If yes, list the offense:</i>				

B. Is the offense a violent felony?				
C. Was a weapon used in the commission of the offense?				
D. Were victims injured during the commission of the offense?				
E. Was/were an officer(s) injured during the commission of the offense?				
			Total from "Offense Assessment"	0

III. Weapon Assessment	Yes	No	Unknown	Points
A. Is suspect known or believed to possess:				
1. Rifle - Semi-auto or bolt/lever action				
2. Rifle - full-auto*				
3. Shotgun				
4. Handgun				
5. Explosives*				
6. Knives				
7. Other:				
type:				
			Total from "Weapon Assessment"	0

IV. Site Assessment	Yes	No	Unknown	Points
A. Are there geographic barriers or considerations?				
If "yes", describe:				
(may include upstairs apartments or rooms, terrain features, etc.)				
B. Is the site fortified?*				
If "yes", describe:				
(may include barricaded doors/windows, burglar bars, etc.)				
C. Does the site have counter surveillance personnel or monitoring devices?				
If "yes", describe:				
F. Are <u>ARMED</u> counter surveillance personnel present?*				
D. Are there more than 4 adults present at the site?				
E. Are there children, elderly persons, or handicapped persons present at the site?				
If "yes", describe:				
			Total from "Site Assessment"	0
"Yes" = 2 points "No" = 0 points "Unknown" = 1 Point				
* If "Yes" Consult activation of SRT, If "Unknown" 10 points ** If "Yes" double the point value				

V. Time Assessment	<12 hrs	12-24 hrs	>24 hrs.	Points
Time allowed for operational planning:				
			Total from "Time Assessment"	0
"Less than 12 hours" = 4 points "12-24 hours" = 2 points "Greater than 24 hours" = 0 Point				
* If "Yes" MANDATORY activation of SRT, If "Unknown" 10 points ** If "Yes" or "Unknown", double the point value				

Threat Assessment Score		
1-16 Points = SRT Optional	Total from "Suspect Assessment"	0
17-24 Points = Consult SRT Commander	Total from "Offense Assessment"	0
25+ Points = Mandatory SRT Activation	Total from "Weapon Assessment"	0
SRT Not Activated <input type="checkbox"/>	Total from "Site Assessment"	0
SRT Commander Consulted <input type="checkbox"/>	Total from "Time Assessment"	0
SRT Activated <input type="checkbox"/>	Overall Total	0

Investigating Officers Signature: _____ ID # _____ Date: _____

Officer's Supervisor Signature: _____ ID # _____ Date: _____

SRT Commander's Signature: _____ ID # _____ Date: _____

All Search Warrants MUST have a "Threat Assessment" completed prior to service of the warrant unless exigent circumstances exist for immediate service. Any pre-planned operation involving a Felony Arrest Warrant SHOULD have a "Threat Assessment" completed prior to warrant service IF POSSIBLE. Copies of ALL completed "Threat Assessments" SHALL be given to and reviewed by the SRT Commander or his designee within 24 hours of warrant service. Copies should include the actual warrant (or hit confirmation), RMS information, Triple III on the suspect and any other pertinent information used in completing the "Threat Assessment" for that case.

SRT Operations Brief.pdf

West Lafayette Police Special Response Team

Operations Briefing

Case Number: _____

Date/Time: _____

Situation:

- Critical Incident Type:

☐ Warrant Service ☐ Barricade ☐ Hostage ☐ Active Shooter

Mission Objective

- Location

- Location verified / by

Mission Statement/Desired Result

Mission Objective: To bring about the successful resolution of the

Located at

with the intent and purpose to minimize the risk of injury or loss of life to citizens, police officers and suspects, utilizing the personnel, training, equipment and assets available.

Structure

☐ Residence ☐ Business ☐ Office Building ☐ School ☐ Vehicle ☐ Apartment Complex

☐ Other

Photo 1

Photo 2

Composition

☐ Single Level ☐ Multi-level ☐

☐ Brick ☐ Block ☐ Concrete ☐ Steel

☐ Entry Points open in, on

☐ Entry Points open out, on

Internal Characteristics/ if known (Security/Video Surveillance/Fortifications)

External Characteristics/ if known (Known cover, Counter Surveillance, Motion Lights, Other Lighting)

Avenues of Approach (Animals, Alarms, Trip Hazards, Populated Streets)

Utility Shutoff Points

External Structures

Photo 1

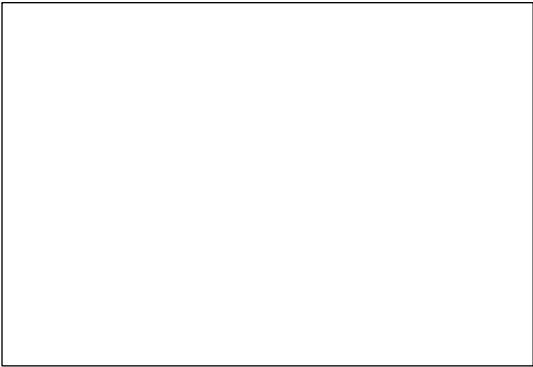
Photo 2

Vehicles

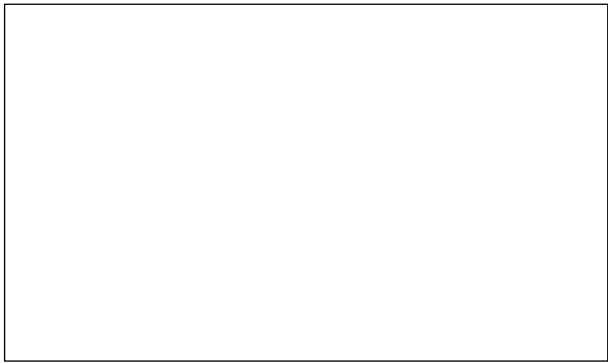
Make Model Year Color

Make Model Year Color

Vehicle Photo 1



Vehicle Photo 2



Suspect(s)

Name

Race

Eye/Hair

Ht/Wt

Age

Photo 1

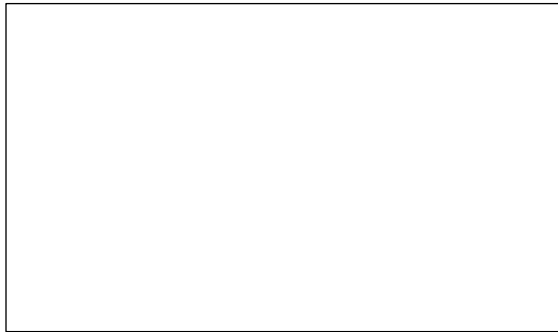
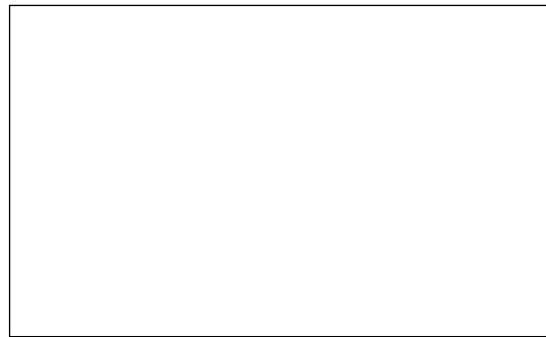


Photo 2



☐ Criminal History ☐ Military History ☐ Mental History ☐ Medical History

Suspect 2

Name

Race

Eye/Hair

Ht/Wt

Age

Photo 1

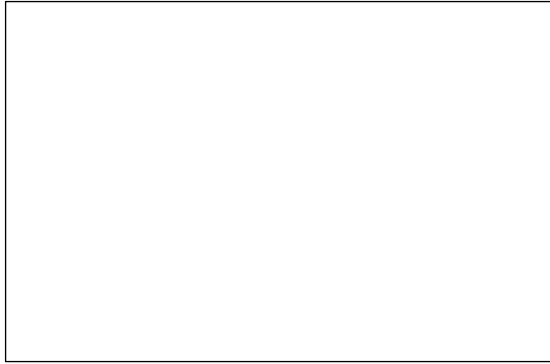
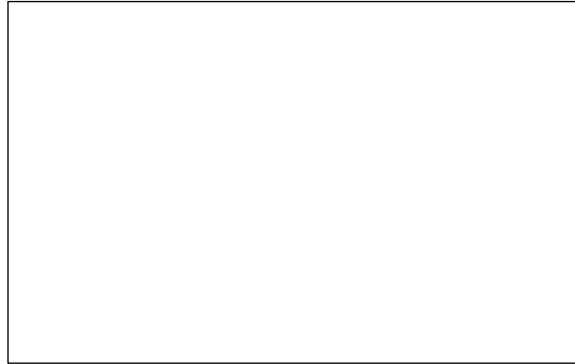
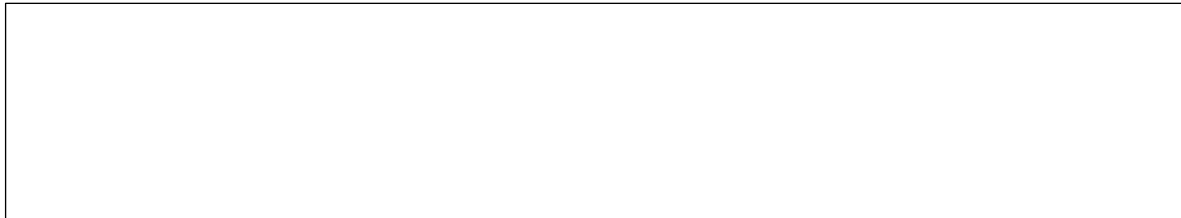


Photo 2



☐ Criminal History ☐ Military History ☐ Mental History ☐ Medical History

Threats & Demands



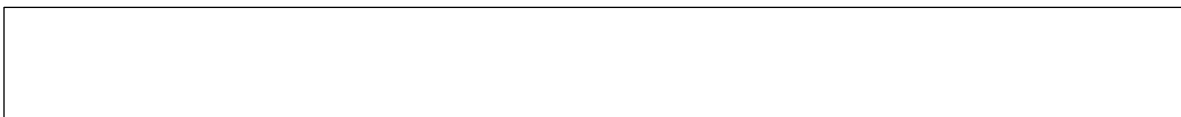
Deadline



Weapons

- ☐ Unknown
- ☐ Firearms ☐ Rifle ☐ Shotgun ☐ Semi-auto ☐ Auto
- ☐ Edged Weapons
- ☐ Explosives

Known contact persons for suspect information



Law Enforcement Personnel

Other LE Agencies Involved

Other Tactical Teams

LE support resources & Staging Areas

☐ WLFD

☐ TEAS

☐ LIFELINE

Medical Plan

Nearest Hospital

EMS Stand By ☐ Yes ☐ No

Civilians

☐ Hostages

Descriptions & Locations

Witnesses & Contact Information

Method of Handling

Hostages/Victims

☐ Secure and hold in place

☐ Secure and remove to

Prisoners

☐ Secure and hold in place

☐ Secure and remove to

Communications

Team Frequency is (no other units should use this freq.)

Secondary Frequency (SRT will not monitor)

EXECUTION of Operation

Concept of operation – raid plan

Negotiation

Chemical Munitions

Breach

Outer Perimeter

☐ Patrol Units/Other Personnel

Location Points

Inner Perimeter

☐ Patrol Units ☐ SRT Elements ☐ K9

☐ Yes ☐ No Civilian Evacuation Necessary?

Negotiations Personnel & Location ☐ **Not Needed**

Incident Command Personnel & Location

SRT Staging Location

SRT Standby or Entry Positions

Sniper/Observer Personnel and Locations

Less Lethal Options

☐ Taser ☐ 40mm ☐ Gas Munitions

Gas Team/Assignments

Cuff Team

Coordinating Instructions

Activation Time Departure Time Arrive Time

Clear Time

Primary Route to Target Location

Findlay Helicopter MOU.pdf



WEST LAFAYETTE POLICE DEPARTMENT

711 WEST NAVAJO • WEST LAFAYETTE, INDIANA 47906
MAIN PHONE: 765-775-5200 • FAX: 765-775-5228

Memorandum of Understanding Between the West Lafayette Police Department and Jeff Findlay

Purpose: To establish written procedures regarding the utilization of Jeff Findlay and his helicopter within Tippecanoe County.

General: This Memorandum of Understanding (MOU) is intended exclusively to provide guidance and documents an agreement for general support of police services between Jeff Findlay and the West Lafayette Police Department. Nothing contained herein creates or extends any right, privilege or benefit to any person or entity.

Responsibilities: When a helicopter is needed for police services, and approval of such services are approved by the Chief of Police, Deputy Chief of Police or Captain of Patrol; Jeff Findlay may be contacted via cellular telephone at 765-714-1136. If available, Jeff Findlay agrees to provide aerial support for the West Lafayette Police Department.

The West Lafayette Police Department accepts no responsibility or liability for any damages or injuries sustained from the operation of the helicopter by Jeff Findlay. The West Lafayette Police Department agrees to compensate Jeff Findlay for his services at a rate of eight dollars (\$8.00) per minute.



Chief of Police

11/30/17
Date



Mr. Jeffery Findlay

11-21-17
Date

Canine MOU.pdf



WEST LAFAYETTE POLICE DEPARTMENT

711 WEST NAVAJO STREET • WEST LAFAYETTE, INDIANA 47906

MAIN PHONE: 765-775-5200 • FAX: 765-775-5228

March 11, 2017

To: Canine Officers

Re: Canine Care and Compensation MOU

Fr: Senior Staff

Officers,

The purpose of this document is to promote agreement and cooperation between canine handlers and WLPD. The document is intended to insure proper care and maintenance of the service animal as well as fair compensation for the handler for time expended in this capacity.

Canine Purchase/Handler Training/Health and Wellness

Refer to Department Policy 309

Canine Handler Scheduling and Compensation

The department recognizes, and FLSA rulings require that canine handlers be fairly compensated for time expended for upkeep and training of the service animal. Canine handlers are scheduled to a normal 12 hour night shift rotation. Under this scheduling rotation the canine handler works 14 days per 28 day pay period in the normal shift rotation. Subtracted from the total work hours is one 12 hour Kelly Day per 28 day period. The Kelly Day is used to reduce the total hours worked to 160 hours per 28 day period.

For each 12 hour shift scheduled for a patrol officer, the canine handler is scheduled for 10 hours. Canine handlers are compensated for the full 12 hour shift. In this manner, the department compensates the canine handler up to 26 paid hours per 28 day pay period for upkeep and training of the service animal in the normal shift rotation. The canine handler will be provided 2 hours compensation for upkeep and training on the days worked. During vacations, personal holidays, rescheduled days, days where compensation is used to take a day off, and days where the officer would be away at training without the canine, the 2 hour compensation will be waived.

For the purpose of maintaining a well-trained service animal, the department has established training needs for the canine team. Up to 12 hours of training each month for canine handlers and their service animals will be scheduled as on duty hours or days. These 12 hours of training will include training in conjunction with the Metro Canine training schedule and PUPD Canine training schedule.

Shift Commanders will make every attempt to reserve the training dates in the shift schedule book for canine handlers to attend canine training. Training schedules should be submitted as early as possible at the beginning of a new calendar year. This allows Shift Commanders to reserve these dates, in order to maintain shift minimums. In case of a schedule amendment or adjustment during the course of the year, shift minimums will hold precedence.

Chief of Police _____

Date _____

Canine Handler _____

Date _____

Level of Duty January 2018.pdf



WEST LAFAYETTE POLICE DEPARTMENT

711 WEST NAVAJO • WEST LAFAYETTE, INDIANA 47906
MAIN PHONE: 765-775-5200 • FAX: 765-775-5228

To: Attending Physician

_____, a patient of yours, is an employee of the West Lafayette Police Department. The employee has informed us that he/she is being treated for a medical condition that may alter his/her normal duty performance. Listed below are the different physical effort levels required of our employees:

LEVEL I: Full police duties: Includes frequent entering/exiting an automobile, prolonged sitting in an automobile, exposure to weather and elements, possible exposure to extreme physical exertion, and exposure to physical confrontation with other persons.

LEVEL II: Limited police duties: Radio Desk (consists of inside work, answering telephone, dispatching radio calls, and taking walk-in complaints). May require some walking and getting up and down from a chair. Typing, writing, and reading are required.

LEVEL III: Light police duties: Could include Level II duties on a limited basis or could be, if prescribed, just report checking and writing, making routine business calls, or sorting and filing paperwork. Physical effort is minimal. Hours of duty to be prescribed by Physician.

LEVEL IV: No duty permitted. Condition requires rest and recuperation at a medical facility or at home.

_____ is being treated for _____

_____. This condition qualifies him/her for duty Level ____.

He/She will remain at the level until _____.

He/She may return to full duty (Level I) on _____.

Additional comments or physical restrictions:

Physician's Signature _____ **Date** _____

**Tippecanoe County Judicial
Officers Memo Ref BWC 2018.pdf**

TO WHOM IT MAY CONCERN:

This letter is distributed to all area law enforcement departments to clarify judicial policy regarding body-camera usage in Tippecanoe County Courtrooms. This policy has been crafted with the consent of all Tippecanoe County Judicial Officers mindful of their ethical and administrative duties to insure the integrity of the official record, the safety of courtroom participants, the dignity of courtroom proceedings, and pursuant to Indiana Code of Judicial Conduct Rule 2.17

Except for Courthouse Security Officers employed by the Tippecanoe County Sheriff ("Bailiffs"), no law enforcement officer shall employ the use of body-cameras (or recording devices of any type) to record the interior of any courtroom at any time, absent specific approval from the presiding judicial officer. This policy applies to all active or passive audio, video, or digital recording and - shall include any continuous recording device regardless of whether said data is designated to be saved or deleted.

Bailiffs may actively record audio and video in a courtroom through department issued body-cameras while on duty when responding to any security concern, situation, and/or event. However, when not actively responding to a security concern, situation, and/or event, Bailiffs are governed by the same rules applicable to all law enforcement officers as detailed above.

The use of body cameras or other recording devices (except for court recording equipment) inside the courtroom at the Tippecanoe County Jail shall be left to the discretion of the Tippecanoe Sheriff, unless directed otherwise by the presiding judicial officer.

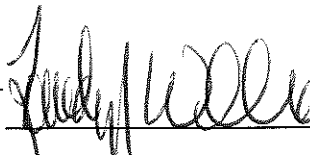
Should any law enforcement agency receive any request to release any courtroom recordings made by any such device to any third-party (including media), they must seek and receive permission from the presiding judicial officer of the recorded courtroom prior to releasing said recordings.

The Tippecanoe County Judicial Officers reserve the right to enforce this policy immediately. However, should you have specific concerns regarding this policy, please address them to Judge Steven Meyer at your earliest opportunity. The decision, by any law enforcement agency, to operate any said recording devices within any Tippecanoe County Courtroom shall constitute said agency's consent to all provisions of this policy.

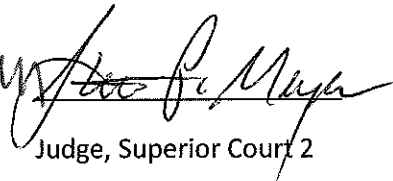
Signed:

A stylized, cursive signature consisting of a large, looping 'C' followed by a horizontal line.


Judge, Circuit Court

A cursive signature that appears to read 'Judge William P. May'.

Judge, Superior Court 1

A cursive signature that appears to read 'Judge William P. May'.

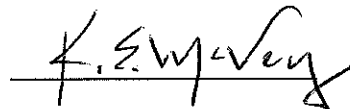
Judge, Superior Court 2

A cursive signature that appears to read 'Judge Graham'.

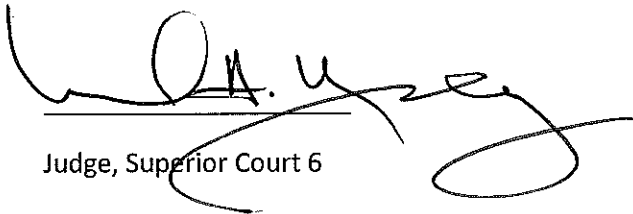
Judge, Superior Court 3

A cursive signature that appears to read 'Judge Zeman'.

Judge, Superior Court 4

A cursive signature that appears to read 'K. E. W. V. V.'.

Judge, Superior Court 5

A cursive signature that appears to read 'Judge W. A. V. V.'.

Judge, Superior Court 6

Heartford House 2019 MOU.pdf

**Heartford House
Tippecanoe County Indiana
Inter-Agency Agreement**

We, the undersigned agencies, do hereby agree to the following guidelines concerning the Heartford House in Lafayette, Tippecanoe County, and State of Indiana.

We have established a cooperative effort between the undersigned agencies, wherein a multi-disciplinary team approach may be utilized in the investigation, assessment, referral for prosecution, medical and therapeutic treatment involving child victims of abuse, particularly sexual.

Each of the undersigned agencies has specific responsibilities with regard to the investigation, assessment, medical/therapeutic treatment, and prosecution of cases of child sexual abuse. We agree to support the concept and adhere to the guidelines as outlined. We understand that on occasion exceptions to these guidelines will be necessary. We, the undersigned, do acknowledge that the multi-disciplinary team approach, through the cooperation of these agencies will aid our community in the daily commitment to ensure the protection of our children.

The mission of Heartford House is to empower the community to protect and advocate for the well-being of children and families.

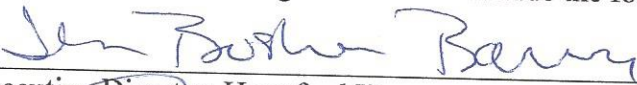
GUIDELINES

1. Each agency will work with and assist the others and Heartford House to ensure that the best interest and protection of children will be served.
2. The appropriate law enforcement agency is to investigate and determine whether or not a crime has been committed and to present information to the proper authorities for prosecution.
3. The Department of Child Services (DCS) is responsible for the protection of children from harm by their parents or others responsible for their care. DCS is responsible for conducting an assessment to determine the degree of risk to the children and to make efforts to ensure their safety.
4. The prosecutor is responsible for assessing the legal aspects of the case in accordance with his/her prosecutorial role.
5. Heartford House is responsible for maintaining a suitable child-friendly environment for interviewing children, maintaining technology for recording interviews, ensuring use of forensic interviewing best practices, and assisting agencies with scheduling interviews and training of personnel.

6. Reasonable efforts will be made by each agency to coordinate each step of the investigation/assessment process in order to minimize the number of interviews and interviewers to which the child is subjected, thus reducing the potential trauma to the child.
7. A trained child forensic interviewer will conduct interviews at Heartford House.
8. Agencies participating in current investigations are expected to attend Multi-Disciplinary Team meetings as scheduled.
9. It is expressly understood that each agency will work within its departmental mandates and policies. Nothing contained in this agreement supersedes the statutes, rules or regulations governing each agency. To the extent that any provision of this agreement is inconsistent with any such statute, rule or regulation, the statute, rule or regulation shall prevail.
10. Appropriate agencies participating with Heartford House agree to provide trained professionals with the appropriate skills to handle the investigation of child sexual abuse cases.
11. Any conflict with or divergence from the Heartford House protocols and procedures that occur between agencies regarding cases being addressed at Heartford House shall be addressed by a meeting between designated agency representative(s) and Heartford House's Executive Director. If not resolved, then the dispute will be taken to the Advisory Committee for resolution.
12. All personnel participating in investigations at Heartford House agree to maintain confidentiality of all records and information gathered on all crimes investigated at Heartford House and preserve the privileged nature of records and information.
13. These guidelines and policies and procedures for Heartford House and undersigned agencies shall be reviewed and modified as needed by participating agencies. These guidelines and policies and procedure may be modified:
 - a. To conform to existing or new statutes, rules, regulations, or departmental policies, which may conflict with any provisions of these guidelines;
 - b. To better meet the needs of families and children in the provision of related services.
 - c. To improve the procedures set forth in these guidelines;
 - d. To add or delete agencies as parties to these guidelines;
 - e. For such other purpose as the parties may agree.
14. This Inter-Agency Agreement shall only be modified with a majority of all agencies.

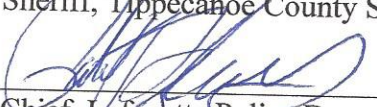
15. As agencies become parties to this agreement, they agree to follow the guidelines and provisions as outlined in this agreement and the Heartford House Protocol.

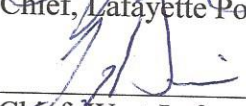
16. Signatories of this agreement will include the following agencies:

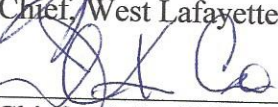

Executive Director, Heartford House

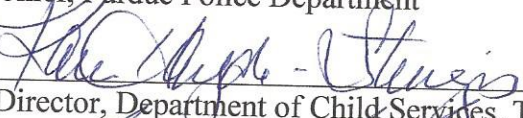

Tippecanoe County Prosecutor



Sheriff, Tippecanoe County Sheriff's Department

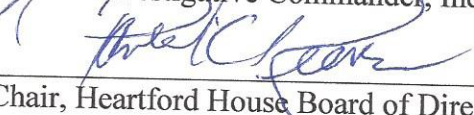

Chief, Lafayette Police Department


Chief, West Lafayette Police Department


Chief, Purdue Police Department


Director, Department of Child Services, Tippecanoe County


District Investigative Commander, Indiana State Police District 14


Chair, Heartford House Board of Directors

Signed this 31st day of January 2019

Issued Equipment-2019.pdf

West Lafayette Police Department Initial Issued Equipment

Name: _____

Item/Model #		Quantity	Rec'd	Serial Number
Uniforms				
8600-Z	Blauer Class Act Long Sleeve Shirt Polyester Blend	1		
8650	Blauer Class Act 4 Pocket Pant Polyester Blend	1		
8675	Blauer SS Supershirt Polyester Blend	2		
8670	Blauer LS Supershirt Polyester Blend	2		
8655	Blauer 6 Pocket (Cargo) Streetgear Polyester Pant	3		
6120	Navy Jacket with Liner	1		
26990	Blauer Rain Jacket (Reversible)	1		
45095-NB	Navy Blue Tie velcro break away (18 or 20 Inch)	1		
S-40	Stratton Straw Campaign Hat Black	1		
CD-SR	Stratton Hat Cord with Acorns Silver	1		
ST-3P-BK	Stratton Hat Strap Black 3 Piece Leather	1		
	Stratton Hat Rain Cap Campaign Style Clear	1		
	Boot of Officers Choice (Under \$175) Polishable Toe	1		
87V	Safariland Clarino Duty Belt High Gloss	1		
7205	Safariland Clarino Trouser Belt	1		
730-9PBL	Safariland Clarino Mag Light Ring blk snaps High Gloss	1		
62-4-9HS	Safariland Clarino Hidden Snap Belt Keepers High Gloss	4		
7923	Bianchi Clarino Radio Case Group 1 High Gloss	1		
090	Safariland Clarino Open Top Cuff Case High Gloss	2		
77-83-9HS	Safariland Clarino Dbl Mag Pouch (G22) Hidden Snaps HG	1		
6280	Safariland SLS Mid-Ride Level II STX Tactical finish	1		
44H015PL	Taser Holster BlackHawk Serpa X26	1		
7907	Safariland Clarino Mace Holder (MK3) HI Gloss Hidden snap	1		
33	Safariland Clarino Standard Glove Pouch	1		
170-9	Safariland Silent Key Holder HI Gloss	1		
339P	Blauer Traffic Safety Vest	1		
Accessories/Equipment				
	Smith and Wesson Handcuffs	2		
	5.11 Three in One Duty Bag	1		
	Black Sock Hat	1		
	Citation Holder	1		
	Form Holder	1		
	Silver "P" Buttons	15		
	Silver Solid Tie Bar	1		
	Uniform Shirt Badge	2		
	Police ID	2		
	Badge Wallet	1		
	Body Armor (Optional Level)	1		
	Glock 17/19 Duty Weapon (Record Serial Number at right)	1		
	Glock 26/43 Back Up/Off Duty Weapon (Serial Number to Rig	1		
	9mm Duty Ammunition	65		
	Taser X26 including two cartridges (Record Serial Number at r	1		
	PBT Device (Record Serial Number at right)	1		
	Portable Radio (Record Serial Number at right)	1		
	Keys to West Lafayette Police Department	2		
	Key to Ford Explorer	1		
	Body Worn Camera	1		
J5 Name Tag	Blackinton 2.25 x .5 Silver Polished Clutch Back Blk Letters	1		
Style 15	WLPD Collar Pins 3/8 inch Polished Silver Blackinton	2		
	WLPD Hat Badge	1		

I have received the above items

Signature: _____

Date: _____

West Lafayette Police Department Initial Issued Equipment

Name: _____

	Riot Helmet	1		
	Gas Mask Bag (Galls (TE210)	1		
	Gas Mask	1		
	Recon Medical Tourniquet with Holster	1		
	Safety Glasses	1		
	Hearing Protection	1		
	Radio Ear Piece	1		

I have received the above items

Signature: _____

Date: _____

Workmans Comp Documents2018.pdf



HOW TO FILE A WORKERS' COMPENSATION CLAIM

Every employee makes a valuable contribution to the City of West Lafayette, where we strive to provide a safe work environment. Supervisors and employees share responsibility for creating and maintaining a safe workplace. Maintaining a safe workplace requires the continuous cooperation of all employees. Safety must be a primary concern in every aspect of planning and performing all city activities.

ACCIDENT REPORTING

1. Any injury at work – no matter how small – must be reported immediately to your supervisor. Serious conditions often arise from small injuries if they are not cared for at once.

If an injury/illness is deemed an emergency or life threatening, call 911, and make the employee comfortable until the ambulance arrives. Upon arrival to the nearest emergency room, identify the patient as an employee of the City of West Lafayette and the injury/illness as a workers' compensation claim.

If the injury/illness is not deemed an emergency but requires medical attention, provide employee with an Authorization for Treatment form, call Regional Occupational Care Center (ROCC) at 765-446-2450 and transport to 1321 Unity Place, Suite A, Lafayette, Indiana 47905 (Monday – Friday; 8 a.m. – 6 p.m.).

If the injury/illness occurs outside of ROCC's regular business hours, notify your supervisor who will arrange transportation to the nearest Urgent Care facility. If the injury/illness is urgent, transport to the nearest hospital emergency room. Identify the patient as an employee of the City of West Lafayette and the injury/illness as a workers' compensation claim.

Urgent Care location and hours of operation are listed below:

- Unity Immediate Care Center - 1321 Unity Place, Suite B, Lafayette – 8 a.m. – 8 p.m., every day; closed holidays

If an employee can wait until ROCC opens without detriment to themselves, they should do so. If an injury/illness occurred on a previous day and the employee did not wish to seek medical care at the time of the injury, the employee is expected to wait until ROCC's facility opens at 8 a.m.

HOW TO FILE A WORKERS' COMPENSATION CLAIM - Continued

If the injury/illness does not appear to require medical attention, simply complete the First Report of Employee Injury/Illness form.

THE FIRST REPORT OF EMPLOYEE INJURY/ILLNESS FORM MUST BE COMPLETED IMMEDIATELY FOLLOWING THE INJURY/ILLNESS BY THE SUPERVISOR.

NOTE: Employees seeking medical attention without notifying the employer or supervisor of the injury/illness are assuming responsibility for their own medical costs. This may be waived in extenuating circumstances only. It is mandatory that employees go to the City's designated provider if at all possible.

2. The supervisor should complete the First Report of Employee Injury/Illness and report it to **BITCO either by fax (317-241-8922) or email to indianapolisclaims@bitco.com.** Human Resources must also be notified immediately and receive the original form within 48 hours.
3. If an injury is determined to be compensable and the claim will potentially involve lost time exceeding 21 days, a wage history statement will be sent to BITCO.
4. The employee must complete a record of hours worked (if any), sick leave, vacation, personal leave, holidays, or time without pay to be charged. The record should also reflect if the employee is working with light duty restrictions, along with the appropriate pay level.
5. Once compensation begins, payments are made every 7 days by BITCO. Checks are sent directly to the employee.

Workers' Compensation is a very important benefit that provides you with the security and protection of continued lost wages and medical reimbursement for all reasonable and related medical expenses.

Safety is everyone's responsibility! If you have an idea for improving workplace safety or have any questions regarding other aspects of workers' compensation, please contact the Human Resources Department.

Updated: March 2018



INDIANA WORKER'S COMPENSATION FIRST REPORT OF EMPLOYEE INJURY, ILLNESS

State Form 34401 (R10 / 1-02)

FOR WORKER'S COMPENSATION BOARD USE ONLY

Jurisdiction	Jurisdiction claim number	Process date
--------------	---------------------------	--------------

Please return completed form electronically by an approved EDI process.

PLEASE TYPE or PRINT IN INK

NOTE: Your Social Security number is being requested by this state agency in order to pursue its statutory responsibilities. Disclosure is voluntary and you will not be penalized for refusal.

EMPLOYEE INFORMATION									
Social Security number	Date of birth	Sex <input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Unknown	Occupation / Job title			NCCI class code			
Name (last, first, middle)		Marital status <input type="checkbox"/> Unmarried <input type="checkbox"/> Married <input type="checkbox"/> Separated <input type="checkbox"/> Unknown		Date hired	State of hire	Employee status			
Address (number and street, city, state, ZIP code)				Hrs / Day	Days / Wk	Avg Wg / Wk	<input type="checkbox"/> Paid Day of Injury <input type="checkbox"/> Salary Continued		
Telephone number (include area)		Number of dependents		Wage Per \$ <input type="checkbox"/> Hour <input type="checkbox"/> Day <input type="checkbox"/> Week <input type="checkbox"/> Month <input type="checkbox"/> Year <input type="checkbox"/> Other					
EMPLOYER INFORMATION									
Name of employer City of West Lafayette		Employer ID# 35-6001233			SIC code		Insured report number		
Address of employer (number and street, city, state, ZIP code) 711 W Navajo Street West Lafayette, IN 47906		Location number		Employer's location address (if different)					
		Telephone number (765) 775-5101							
		Carrier / Administrator claim number		OSHA log number		Report purpose code			
Actual location of accident / exposure (if not on employer's premises)									
CARRIER / CLAIMS ADMINISTRATOR INFORMATION									
Name of claims administrator Bituminous Insurance			Carrier federal ID number		Check if appropriate <input type="checkbox"/> Self Insurance				
Address of claims administrator (number and street, city, state, ZIP code) PO Box 42608, Indianapolis, IN 46242			<input checked="" type="checkbox"/> Insurance Carrier <input type="checkbox"/> Third Party Admin.		Policy / Self-insured number WC3662928				
Telephone number (800) 382-9991					Policy period From 1/1/2018 To 1/1/2019				
Name of agent MBAH Insurance			Code number						
OCCURRENCE / TREATMENT INFORMATION									
Date of Inj. / Exp.	Time of occurrence <input type="checkbox"/> AM <input type="checkbox"/> PM <input type="checkbox"/> Cannot be determined	Date employer notified		Type of injury / exposure			Type code		
Last work date	Time workday began	Date disability began		Part of body			Part code		
RTW date	Date of death	Injury / Exposure occurred on employer's premises? <input type="checkbox"/> Yes <input type="checkbox"/> No		Name of contact			Telephone number		
Department or location where accident / exposure occurred				All equipment, materials, or chemicals involved in accident					
Specific activity engaged in during accident / exposure				Work process employee engaged in during accident / exposure					
How injury / exposure occurred. Describe the sequence of events and include any relevant objects or substances.									
									Cause of injury code
Name of physician / health care provider									
Hospital or offsite treatment (name and address)							INITIAL TREATMENT <input type="checkbox"/> No Medical Treatment <input type="checkbox"/> Minor: By Employer <input type="checkbox"/> Minor: Clinic / Hospital <input type="checkbox"/> Emergency Care <input type="checkbox"/> Hospitalized > 24 Hours <input type="checkbox"/> Future Major Medical / Lost Time Anticipated		
Name of witness		Telephone number		Date administrator notified					
Date prepared	Name of preparer	Title		Telephone number					

An employer's failure to report an occupational injury or illness may result in a \$50 fine (IC 22-3-4-13).



☐ Regional Occupational Care Center
1321 Unity Place, Suite A
Lafayette, IN 47905
PH: 765.446.2450
FX: 765.446.1083
Monday - Friday, 8:00am - 6:00pm

☐ Regional Occupational Care Center
2002 W. County Road 0 N/S
Frankfort, IN 46041
PH: 765.670.6417
FX: 765.670.6438
Tuesday & Thursday, 8:00am - 4:00pm

☐ Unity Immediate Care Center
1321 Unity Place, Suite B
Lafayette, IN 47905
PH: 765.446.1362
Monday - Sunday, 8:00am - 8:00pm

☐ Franciscan Health
1701 South Creasy Lane
Lafayette, IN 47901
PH: 765.502.4000
Monday - Sunday, 24/7

AUTHORIZATION FOR TREATMENT

Name: _____

If temporary employee, through which service:

Birth Date: ____ - ____ - ____
(Month) (Day) (Year)

- | | |
|--|-----------------------------------|
| <input type="checkbox"/> Adecco | <input type="checkbox"/> Olsten |
| <input type="checkbox"/> CTI Personnel | <input type="checkbox"/> Manpower |
| <input type="checkbox"/> Express Personnel | <input type="checkbox"/> _____ |

☐ **Work Related Injury**

Date of Injury: _____

Part of Body Injured: _____

Post Accident Drug Screen

- | | | |
|------------------------------|----------------------------------|---|
| <input type="checkbox"/> Yes | <input type="checkbox"/> DOT | <input type="checkbox"/> Breath Alcohol |
| <input type="checkbox"/> No | <input type="checkbox"/> NON DOT | |

Note: After Hours Drug Screen \$250.00. Call 765.446.2450.

☐ **Body Fluid Exposure**

Date of Exposure: _____ Part of Body Involved: _____

History: _____

Physical Exam

- | | |
|---|--------------------------------|
| <input type="checkbox"/> DOT | <input type="checkbox"/> Basic |
| <input type="checkbox"/> Pre-Employment | |
| <input type="checkbox"/> Respirator Physical | |
| <input type="checkbox"/> Respirator Fit w/ OSHA Questionnaire | |
| <input type="checkbox"/> Other _____ | |

- | | |
|---------------------------------------|--|
| <input type="checkbox"/> Injection | <input type="checkbox"/> Tetanus / Tdap |
| | <input type="checkbox"/> Hepatitis _____ |
| | <input type="checkbox"/> MMR |
| | <input type="checkbox"/> Varicella |
| <input type="checkbox"/> TB Screening | <input type="checkbox"/> Skin Test |
| | <input type="checkbox"/> Quantiferon |
| | <input type="checkbox"/> Chest XRay |

Tests

- | |
|---|
| <input type="checkbox"/> Urine Drug Screen |
| <input type="checkbox"/> 5 Panel <input type="checkbox"/> 11 Panel <input type="checkbox"/> DOT |
| <input type="checkbox"/> Breath Alcohol |
| <input type="checkbox"/> Hair Collection |
| <input type="checkbox"/> Other _____ |

Reason

- | |
|---|
| <input type="checkbox"/> Pre-Employment |
| <input type="checkbox"/> Random |
| <input type="checkbox"/> Post-Accident |
| <input type="checkbox"/> Reasonable Suspicion |
| <input type="checkbox"/> Return to Work |

Other

- | | |
|---------------------------------------|--|
| <input type="checkbox"/> Vision Test | |
| <input type="checkbox"/> Hearing Test | |
| <input type="checkbox"/> Lab | <input type="checkbox"/> Hepatitis Titer |
| | <input type="checkbox"/> MMR Titer |
| | <input type="checkbox"/> Varicella Titer |
| <input type="checkbox"/> Lab Other | <input type="checkbox"/> _____ |
| | <input type="checkbox"/> _____ |
| | <input type="checkbox"/> _____ |
| | <input type="checkbox"/> _____ |

Should there be any questions regarding this employee, please contact:

Company: City of West Lafayette

Contact Person: Merrissa Budreau (HR Manager) Phone: (765) 775-5104

Authorized Signature: [Signature] Date: 03/19/18

WLPD Uniform Guide.xls

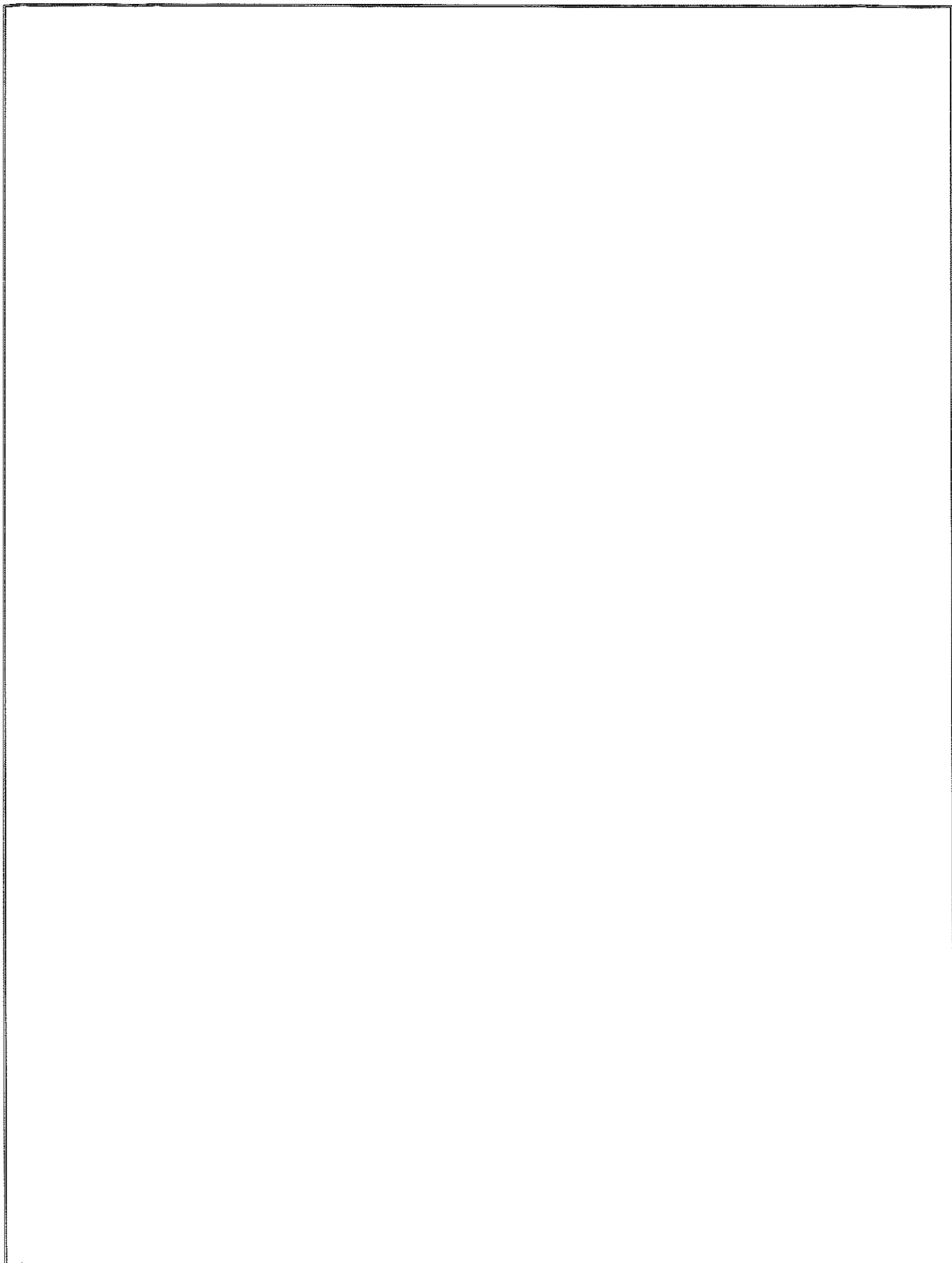
Civilian Employee Personnel Manual 2021.pdf



Personnel Manual

For Civilian Employees

EFFECTIVE: JANUARY 1, 2021



West Lafayette Personnel Manual

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1.00 PURPOSE AND AUTHORITY FOR PERSONNEL POLICIES AND PROCEDURES

1.01 POLICY

This personnel manual has been established to provide a uniform approach to the implementation and administration of the personnel policies of the City of West Lafayette. Every employee is considered a valued member of the City of West Lafayette and is encouraged and expected to read and comply with the contents of this document. It is the City's belief that when consistent personnel policies are communicated and understood, employees have a better opportunity to achieve job satisfaction. THIS PERSONNEL MANUAL IS NOT A CONTRACT BETWEEN THE CITY AND ITS EMPLOYEES OR A GUARANTEE OF EMPLOYMENT FOR ANY FIXED PERIOD OF TIME. THE CITY REMAINS FREE AT ALL TIMES TO CHANGE WAGES AND ALL OTHER WORKING CONDITIONS, EXCEPT AS OTHERWISE PROVIDED BY LAW OR CONTRACT, WITHOUT CONSULTATION OR AGREEMENT WITH THE EMPLOYEE AND CONTINUES TO HAVE THE POWER TO TERMINATE ANYONE WITH OR WITHOUT GOOD CAUSE. All employees governed by the personnel manual are "at-will" employees. This personnel manual supersedes and replaces all previous personnel manuals

1.02 GENERAL PROVISIONS

- A. This Personnel Manual governs all City civilian employees. Sworn Firefighters with the West Lafayette Fire Department and Sworn Police Officers with the West Lafayette Police Department are covered by separate standard operating procedures and/or guidelines. This policy supersedes and replaces any previous version of any City personnel manual and shall be effective beginning January 1, 2020.
- B. This Personnel Manual, the West Lafayette Fire Department Standard Operating Guidelines and the West Lafayette Police Department Standard Operating Procedures Manual shall be kept on file in the Human Resources Director's Office.
- C. Policies and procedures found to be in violation of federal law, state statute, or city ordinance shall be declared null and void without effect on other policies and procedures.

2.00 DEFINITIONS

Department Head or Director - An employee who is appointed by the Mayor to the position of Building Commissioner, City Controller, City Engineer, Chief and Deputy Chief of the Fire Department, Chief and Deputy Chief of the Police Department, Parks Superintendent, Street Commissioner, Utility Director, or who is appointed director of the department Development, Facilities, and Human Resources.

Active Paid Status - An employee is in active paid status when they are drawing earned compensation for employment, or is on paid sick leave, paid personal time, a paid holiday, paid vacation, or using compensatory time.

Board - Refers to the West Lafayette Board of Public Works and Safety or the West Lafayette Board of Parks and Recreation.

City - Refers to the City of West Lafayette, Indiana.

Equal Employment Officer - Refers to Mayor's designee who oversees the City's E.E.O. compliance.

Introductory Period - An employee is in an introductory period for a minimum of 90 calendar days from the start of their employment. This introductory period may be extended in individual cases with the consent of the Department Head and the Human Resources Director. During the introductory period, a newly appointed employee is required to demonstrate satisfactory performance of

the duties of the position. Your status as an at-will employee does not change either during or after this period.

Regular Full-Time - Includes all employees who are regularly scheduled to work at least thirty (30) and up to forty (40) hours per calendar week, and who maintain employment on a year-round basis. Regular full-time employees are entitled to benefits associated with full-time employment.

Regular Part-Time - Includes all employees who are regularly scheduled to work between twenty (20) and thirty (30) hours per calendar week, and who maintain employment on a year-round basis. Regular part-time employees are entitled to accrued leave benefits on a *pro rata* basis according to their regularly scheduled work week. Regular part-time employees are not eligible for City benefits but may elect to participate in certain qualified voluntary benefits.

Seasonal - Includes all employees whose employment schedule is for a specific seasonal period as determined by a department. Seasonal employees are exempt from overtime and are not eligible for any benefit programs.

Temporary - Includes all employees whose employment schedule is generally short-term, intermittent, or who work less than 20 hours per calendar week on average. Temporary employees are not eligible for any benefit programs. Temporary employment placements are subject to review and change, including termination, at the discretion of the Department Head and the Human Resources Director.

Variable Hour - Includes all employees with variable or uncertain hours who are expected to work less than 30 hours per calendar week on average. Human Resources will evaluate the terms of variable hour employees using the Affordable Care Act's (ACA) look-back measurement method to determine benefits eligibility.

Independent Contractor - An individual who independently contracts to provide services to the City, is not a City employee. Independent contractors are not eligible for any benefit programs. An independent contractor's compensation is determined by the terms of his/her contract with the City.

Special Employees - Includes those employees who occupy job positions which may, from time-to-time, be created as a result of grants or supplemental assistance, grants-in-aid or other such funding. Special employees are not eligible for any benefit programs.

3.00 EQUAL EMPLOYMENT OPPORTUNITY AND AMERICANS WITH DISABILITIES ACT

3.01 EQUAL EMPLOYMENT OPPORTUNITY POLICY

The City of West Lafayette is an equal opportunity employer who prohibits discrimination and harassment of any kind. The City is committed to the principle of equal employment opportunity for all employees and to providing employees with a work environment free of discrimination and harassment. All employment decisions are based on business needs, job requirements and individual qualifications, without regard to race, color, creed, religion, ancestry, national origin, sex, disability, age, familial status, status with regard to public assistance, sexual orientation, gender identity, gender expression, and veteran status, in order to provide equal employment opportunity to all employees and applicants for employment in accordance with state and federal law. (See Appendix 2 for comprehensive policy against harassment and discrimination and complaint procedure.)

3.02 AMERICANS WITH DISABILITIES ACT POLICY

It is the policy of the City of West Lafayette not to exclude qualified individuals with disabilities from participation in or

benefiting from the services, programs, or activities of the municipality.

In compliance with the Americans with Disabilities Act (ADA) of the Rehabilitation Act of 1973, the City of West Lafayette is committed to removing barriers that prevent employees with disabilities, who are otherwise qualified, from enjoying the same employment opportunities that are available to those without disabilities. The City of West Lafayette will not discriminate against any qualified employee or applicant with regard to any term or condition of employment because of such individual's physical or mental disability or perceived disability so long as the employee can perform the essential functions of the job, with or without reasonable accommodation. Consistent with this policy of nondiscrimination, the City will provide reasonable accommodations to a qualified individual with a disability, as defined by the ADA, who has made the City aware of their disability, provided that such accommodation does not constitute an undue hardship on the City. This includes making reasonable accommodation to allow individuals with disabilities to participate in the application and hiring process. Employees or applicants with a disability who believe they need a reasonable accommodation should contact their interviewer, immediate supervisor, a department head, or the Human Resources Director. It is the responsibility of an employee who becomes disabled and requires reasonable accommodation to contact their immediate supervisor, a department head, or the Human Resources Director and request reasonable accommodation. A family member, friend, health professional, or other representative may also request a reasonable accommodation on behalf of the disabled employee. The City encourages individuals with disabilities within the meaning of the ADA to come forward and request reasonable accommodation.

4.00 RECRUITING AND SELECTION

The City of West Lafayette is an equal opportunity employer and is committed to selecting and placing the best qualified individuals in open positions consistent with its dedication to equal employment opportunity. If a vacancy occurs in a department, the department head will contact the Human Resources Department to initiate the recruiting and selection process.

4.01 JOB POSTINGS/INTERNAL PLACEMENT

The City recognizes that the development and growth of its employees is critical to the success of the City and it encourages upward mobility by promotion and reassignment of qualified employees to new or vacant positions. When appropriate to do so, the City will post available job opportunities within each department as a means of supporting this purpose. When a vacancy occurs, first consideration shall be given to current employees who are in good standing based on their current performance review and who possess the knowledge, skills and abilities necessary to fill the vacant position. The City is under no obligation to wait a specified period of time before seeking external applicants.

Qualified employees will be interviewed and given consideration, however, there is no guarantee that a qualified internal applicant will be selected to fill a position. Hiring supervisors are under no obligation to interview internal applicants who do not meet the minimum qualifications for the vacancy. Employees must advise their current supervisor of their interest in a posted position. Supervisors shall not retaliate against an employee who applies for a position in another department. An employee selected for a position through the internal placement process may be retained in their former position until a replacement is obtained, or satisfactory arrangements are made with their present department.

Civilian employees who are transferred between departments will maintain their seniority for accrued leave benefits. The head of the department into which the employee is transferring shall have the discretion of requesting that any unused accrued vacation and/or unused accrued compensatory time be paid to the employee before starting in their new position.

Indiana law reflects existing federal law which prohibits retirements in which a non-civilian member has a formal or informal agreement with an employer to become re-employed in a position after retirement. Members are also required to have a bona fide separation of service in order to be entitled to a benefit from a tax-qualified pension plan such as INPRS. The State mandated separation of employment must be satisfied before starting work as a civilian employee. Non-civilian employees (sworn Fire and Police personnel) who have terminated employment with the City who are re-hired in a civilian position will be entitled to the twenty (20) day maximum vacation allotment. This vacation allotment is prorated during the first calendar year of employment. The re-hired employee will be subject to the normal waiting periods for all other accrued leave and for their health and welfare benefits as for any new employee.

4.02 APPLICATION

All applicants, including internal candidates, will be required to complete the City's standard application form which is available on the City's website. A resume may be used as addendum to the application to provide the information specified in the job notice. The City reserves the right to decline an applicant or to discipline or terminate an employee who has provided false, misleading, erroneous or deceptive information verbally or on an application, resume, or other written materials, or who has omitted information during the hiring process.

4.03 SELECTION

Department heads shall be responsible, after consultation with Human Resources, for choosing the best qualified applicants for openings in their respective departments. Final hiring approval must come from the Board of Public Works and Safety or the Board of Parks and Recreation. This section does not apply to Elected or Appointed Officials.

4.04 NEPOTISM

The City recognizes that members of the same family may desire to pursue similar careers. The City must be sensitive, however, to the potential for favoritism in employment decisions and to the necessity of maintaining professional work relationships. The City's hiring, transfer and promotion processes are therefore subject to the following restrictions:

- A. In no event will any department head employ a relative in their department.
- B. The Parks and Recreation Department will not hire relatives of the Mayor, Clerk, Board of Parks and Recreation or members of the Common Council.
- C. Relatives are prohibited from being employed in positions that result in one being in the direct line of supervision of the other.
- D. In the event of a marriage between employees that results in a violation of the direct reporting prohibition, one of the affected employees must transfer or terminate employment with the City. The City cannot guarantee employment for such individuals.
- E. For purpose of this policy, "relatives" are defined as spouse, child, father, mother, brother, sister, brother-in-law, sister-in-law, son-in-law, daughter-in law, mother-in-law, father-in-law, stepfather, stepmother, stepson, stepdaughter, niece, nephew, grandparent, uncle, aunt, or first cousin.

A family member shall not automatically be disqualified from employment with the City, but the decision to hire ANY family member of a current employee must be jointly approved by Human Resources and the relevant department head(s).

(Also refer to Nepotism statement in Appendix 5 - CODE OF ETHICS.)

4.05 SECURITY AND BACKGROUND SCREENING

The City is committed to protecting the security and safety of employees and its citizens as well as safeguarding the assets and resources of the City. Background checks serve as an important

part of the employment selection process and are required prior to hiring all full-time, part-time, seasonal, temporary, intern, and volunteer employees regardless of the duration of employment.

The background check may include, but is not limited to: criminal history screening (may include county, state-by-state, and national criminal databases), verification of social security number, prior work verification, certification of academic credentials, credit history, motor vehicle history, drug testing, and other testing deemed relevant based on the nature and duties of the position being sought.

All information obtained through the background check process, including criminal history, is highly confidential and access to such information is limited to those individuals who have a need to know.

Unless otherwise provided by law, having a criminal conviction or poor credit history does not necessarily preclude employment. The nature of the offense and its relevance to the applicant's suitability for the particular position, in particular, whether the individual's employment by the City poses an unacceptable risk, is considered on a case-by-case basis. Human Resources, in consultation with the hiring supervisor, shall evaluate the applicant's suitability for the position and make the final employment determination.

4.06 NEW EMPLOYEE PROCEDURE

Upon acceptance of a job offer, the new employee shall meet with Human Resources on or near their first day of employment, or by appointment to complete all appropriate new hires forms and review personnel policies and benefits.

As a condition of employment, every new employee must complete the Immigration and Naturalization Form I-9, with supporting documents within three business days of the date of employment. The City participates in E-Verify and will provide the Social Security Administration and, if necessary, the Department of Homeland Security, with information from the Form I-9 to confirm work authorization. The new employee shall also complete payroll, tax and insurance forms. Each department head or supervisor should plan a departmental orientation for the new employees in the department. Departmental orientation will cover all facets of the position that are unique to the department and, therefore, not covered by the general orientation session.

5.00 ATTENDANCE POLICY

Each employee is crucial to the successful completion of the City's daily business. Punctuality and regular attendance are essential functions of each employee's job with the City. Any tardiness or absence causes problems for fellow employees and supervisors. When an employee is absent, others must perform their work.

Employees are expected to report to work as scheduled, on time and prepared to start work. Employees also are expected to remain at work for their entire work schedule, except for break periods or when required to leave on authorized City business. Late arrival, early departure, and leaving City premises during work hours without permission of the employee's supervisor or department head while not on City business are grounds for discipline up to and including termination. For shift employees, the employee shall not leave their post until replaced by the employee for the next shift or until the supervisor relieves him/her.

In the event of an absence or tardiness, employees must provide their supervisor with an honest reason or explanation. Documentation of the reason may be required. Employees also must inform their supervisor of the expected duration of any absence. Absent extenuating circumstances, an employee must contact their supervisor in advance of their regular starting time on any day on which the employee is scheduled to work and will not report to work or will be tardy. This policy applies for each day of an employee's absence. An employee who does not inform their supervisor of their absence from work in advance, without proper explanation or giving a false reason for absence or tardiness are all grounds for disciplinary action up to and including termination. Excessive absenteeism and excessive tardiness may be grounds for

discipline up to and including termination of employment. Generally, any unpaid absence not protected by law (e.g., FMLA) will be considered excessive. Each situation of excessive absenteeism or tardiness will be evaluated on a case-by-case basis.

Any employee who, without valid reason, fails to report to work without notification to their supervisor for a period of three days or more will be considered to have terminated the employment relationship.

6.00 HOURS OF WORK

6.01 WORKDAY, WEEK AND PAYROLL WEEK

The Common Council, the Board of Public Works and Safety (for the Wastewater Treatment Utility) or the Board of Parks and Recreation as appropriate, will set the regularly scheduled work hours in compliance with the FLSA. The designated hours of work for each department will be established by the department head with approval from the Mayor. The Clerk can designate the hours of work for the Clerk's staff. Generally speaking, these hours of work will be from 8:00 a.m. to 4:30 p.m. Monday through Friday. Certain offices may need to observe earlier opening hours and later closing hours in order to better serve the public. The payroll week shall be the calendar week beginning Saturday and ending Friday. The payroll period shall consist of two (2) consecutive weeks, with adjustments as needed.

6.02 BREAK PERIODS

Employees are entitled to receive two paid 15-minute breaks during each workday, one during each half of the employee's shift. These breaks are to be taken at a time not disrupting to departmental work activity as judged by the supervisor. Breaks cannot be combined, used to extend a lunch break, arrive to work late, or to leave work early. A break not taken is forfeited.

6.03 NURSING MOTHERS

The City provides support to employees if you are a breastfeeding mother who wishes to take a break during your workday in order to express milk when separated from your infant child(ren). Nursing mothers at City Hall shall be provided access to a private room for expressing breast milk and to cold storage for the milk. Employees working outside of City Hall should contact Human Resources to make arrangements for expressing breast milk at their work location. The frequency of breaks needed to express breast milk as well as the duration of each break may vary. If the employee's department regularly allows breaks during the day, the time spent expressing milk shall run concurrently with the break and not in addition to the break. Any additional time required to express milk shall be taken on the lunch break, which is unpaid.

6.04 OVERTIME AND COMPENSATORY TIME

When operating requirements or other needs cannot be met during regular working hours, employees will be scheduled to work additional hours. When possible, advance notification of these mandatory assignments will be provided. All overtime work must receive prior authorization from the supervisor. Compensatory time may be given as a substitute for overtime pay for exempt and non-exempt employees. Exempt and non-exempt employees who are subject to receiving compensatory time will follow the "Compensatory Time Off Agreement" attached as Appendix 1.

Non-exempt employees that are not subject to the Compensatory Time Off Agreement shall receive monetary overtime compensation at a rate of one and one-half (1-1/2) times their regular rate of pay for each hour actually worked over forty (40) hours per workweek. Any exempt employee subject to receiving compensatory time who is required to work additional hours beyond the regularly scheduled workweek, up to forty (40) hours per week, will receive compensatory time on an hour-for-hour basis. The Department in which an exempt employee works may elect to pay straight time for hours worked beyond the regularly scheduled workweek, up to and above forty (40) hours per week.

Holiday, jury duty, and military leaves are considered hours worked for the computation of overtime pay. However, the maximum hours of work credited per day cannot exceed the hours in an employee's regularly scheduled workday. Other absences, including vacation, sick leave, personal days, compensatory time, bereavement leave, or any other leave of absence will not be considered hours worked for the computation of overtime pay. (See Compensatory Time Off Agreement attached as Appendix 1.)

6.05 MANDATORY CALL-BACK

Non-exempt employees who maintain their availability to come back to work to perform emergency or needed procedures during off-duty hours at the request of a supervisor or department head will be compensated for a minimum of two (2) hours at the regular rate of pay or for the actual time worked at one and one-half times their regular rate of pay, whichever is greater, regardless of the hours actually worked in the work week. Failure to report for duty within a reasonable time, not to exceed one hour, after being called into work by a supervisor or department head will be grounds for disciplinary action. Failure to inform the supervisor or department head of any change in phone number or address will be grounds for disciplinary action.

This mandatory call-back policy does not apply to those whose work schedule has changed temporarily due to work requirements, such as snow removal, nor to staff assigned to on-call duty. Additionally, this policy does not apply to those who are provided with a take home vehicle.

6.06 ON-CALL

An employee may be required by the department head or supervisor to be available on a stand-by basis, outside scheduled working hours, to respond immediately to a call back to work as required for reasons of operational necessity. This time does not restrict their freedom to conduct personal business and is not required to remain at work or home and is free to engage in personal matters, with the understanding that they must be available by phone or pager. An employee who is on call is required to carry a cell phone, or other immediate contact device. Failure to answer a call or respond within a reasonable time, not to exceed one hour, after being called into work, will be grounds for disciplinary action. Failure to inform the supervisor or department head of any change in phone number(s) and address will be grounds for disciplinary action.

6.07 SPECIAL DUTY PAY

Certain civilian employees of the West Lafayette Police Department are subject to special duty pay for hours worked in connection with Purdue University athletic events. Special duty pay is guaranteed at the rate of one and one-half (1-1/2) times their regular rate of pay regardless of hours worked in the same pay period.

7.00 PAYROLL

Employees are paid bi-weekly (every other Friday), or 26 pays per year. There are two months during the year where there are three pay dates; the third pay date in these two months will not include insurance premium deductions. They will, however, include other deductions such as all mandatory federal, state and local taxes; social security deductions; the employee's portion of retirement contributions; and other voluntary benefit deductions. (See Appendix 3 for Permissible Deductions for Salaried Employees.)

To view your payroll stub, log onto Employee Self Service (ESS), and click on Pay/Tax Information.

8.00 RECORD KEEPING

Accurate recording of time worked is the employee's responsibility. Federal and state laws require the City to keep an accurate record of time worked in order to calculate your pay and benefits. Time worked is defined as time actually spent on the job performing assigned duties. The Controller shall prescribe the method of recording time worked and leave time for all departments.

It is the responsibility of each employee to use the prescribed method of recording their work hours and leave on a biweekly basis and to obtain the approval of their time worked and leave from the department head or their designee. Altering, falsifying, tempering with, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

Employees cannot be required to arrive early, stay late or use their unpaid mealtime to perform work-related activities without being compensated for the additional time. An early start or late departure must be specifically requested and authorized, in advance, by the employee's supervisor (except in an emergency situation). Employees who choose to arrive early or stay late for personal reasons shall be compensated only for the hours actually worked.

When documenting time worked and leave time, the start and end time should round to the nearest quarter of an hour. Count time from one to seven minutes down to the nearest quarter-hour and time from eight to 14 minutes up to the closest quarter-hour. For example, round 8:09 a.m. up to 8:15 a.m. and round 4:05 p.m. down to 4:00 p.m.

8.01 DIRECT DEPOSIT

All employees are expected to participate in the City's mandatory direct deposit program. To initiate the direct deposit authorization to a primary and/or secondary financial institution, employees are required to complete information online through Employee Self Service (ESS). It is the responsibility of the employee to maintain current account information.

8.02 TIME CLOCKS

All employees who use a time clock or other time recording device must clock in at the beginning of their shift and out at the end of their shift. Employees are strictly forbidden to clock other employees in or out. Such actions will be treated as falsification of City records and may result in discharge. Failure to clock in or out may result in disciplinary action.

9.00 EMERGENCY CLOSINGS

The Mayor will determine if emergency conditions exist to close City Hall and/or other departments within the City. Emergencies include, but are not limited to, inclement weather conditions, equipment failure, fire or other forced evacuations.

In the event of an emergency closing, some operations must continue to provide services. Department heads shall predetermine and designate the mandatory/essential operations that will remain open and designate the emergency employees to staff these operations. (e.g. maintenance personnel may be deemed as essential for the on-going operation of a department whereby administrative/clerical personnel may be deemed non-essential to the operation of a department during a closing at the discretion of the department head and depending upon the emergency.) Employees who are designated mandatory/essential will remain at work and will be paid their regular rate of pay up through forty (40) hours actually worked per work week. All non-essential employees will be released and will receive regular pay for all normally scheduled hours not worked due to the emergency closing.

Non-essential employees who have been requested by the department head to remain at work to complete a required work assignment will be compensated at the rate of one and one-half times their regular rate of pay for the time worked beyond the designated close time.

Employees who do not report for work because of weather-related conditions when City Hall and/or their Department is open and City services are available to the public, will be required to use a personal day, vacation leave, or compensatory time.

10.00 APPEARANCE/APPROPRIATE ATTIRE

The City expects all employees to exercise appropriate judgment with regard to personal appearance, dress and grooming to be most effective in the performance of workplace duties. The City

recognizes that personal appearance is an important element of self-expression and strives not to control or dictate appropriate employee appearance, specifically with regard to jewelry or tattoos worn as a matter of personal choice.

In keeping with this approach, the City allows reasonable self-expression through personal appearance, unless it conflicts with an employee's ability to perform their position effectively or with their specific work environment, or it is regarded as offensive or harassing toward co-workers or the public.

The City permits employees to wear jewelry or to display tattoos at the workplace within the following guidelines. Factors that management will consider determining whether jewelry or tattoos may pose a conflict with the employee's job or work environment include:

1. Personal safety of self or others, or damage to company property.
2. Productivity or performance expectations.
3. Offensiveness to co-workers, customers, vendors or others in the workplace based on racial, sexual, religious, ethnic, or other characteristics or attributes of a sensitive or legally protected nature.
4. Corporate or societal norms.
5. Customer complaints.

If it is determined that an employee's jewelry or tattoos may present such a conflict, the employee will be encouraged to identify appropriate options, such as removal of excess or offensive jewelry, covering of tattoos, transfer to an alternative position, or other reasonable means to resolve the conflict.

An environment of mutual cooperation, respect, and fair and consistent treatment for all employees is the City's goal. Nonetheless, the City is legally responsible for ensuring that no employees are subject to harassment or a hostile work environment. As an initial step toward resolution of any complaint or offense under this policy, supervisors and managers will be responsible for explaining the policy and answering employee questions. If an agreeable solution cannot be reached at that stage, the Human Resources Director will follow company procedures to determine the appropriate action.

The City requires employees to always appear for work in attire that is "professional" and suitable for the work setting. This may vary from one department to another depending on the nature of the work, exposure to the general public, customers, and the extent to which the employee works outdoors.

Personal appearance and hygiene play an important role in projecting a professional image in the community and to the citizens we serve. An employee's appearance should always reflect what is appropriate for the job, work setting, and personal safety.

Employees should use good judgment and common sense when dressing for work. Unacceptable attire includes but is not limited to sweatpants, leggings or workout attire (leggings may be worn under a dress or skirt of an acceptable length); blouses, shirts or sun dresses with thin straps, low necklines, halter or sheer material, or clothing that is excessively revealing, distracting or provocative; t-shirts with foul or obscene words or graphics; clothing that is torn.

If there is doubt as to whether a piece of clothing is appropriate, do not wear it in the workplace. An employee observed wearing unacceptable attire may be sent home to change with a dock in pay.

11.00 ACCESS TO PUBLIC RECORDS

The City is a public agency and all of its records, with certain exceptions, are public records. In general, the public is entitled to access, inspect and copy any of our public records as provided and subject to Indiana Code 5-14-1.5. If you receive a request for public records access or have any questions about public records, you should contact the City Clerk's office.

12.00 DISCLOSURE OF CONFIDENTIAL INFORMATION

In the course of performing their jobs, City employees may be exposed to a variety of information regarding City business and individual members of the public as they interact with City

government. Employees are expected to protect the security of confidential information, but to respect and accommodate the public's right to public information. If in doubt regarding the disclosure of specific information, employees should ask their supervisors or department heads for assistance in determining whether information should be released *before* disclosing. All requests for records pursuant to Indiana's Access to Public Records Act shall be handled as prescribed in the Access to Public Records policy.

13.00 OUTSIDE EMPLOYMENT

Any employee who is also employed by an entity other than the City, is responsible for notifying their supervisor of this outside employment. Any conflict or potential conflict (such as the outside employer is subject to City regulation or enforcement or is a City vendor) should be discussed with the department head, Human Resources and/or the Mayor as appropriate, who will determine whether a conflict exists. If it is determined that a conflict exists between the employment with the City and outside employment, the employee will be required to choose which employment to maintain and which to discontinue. If the employee does not choose within two weeks of the decision that a conflict exists, the employee will be terminated from their position with the City. Record of an employee's outside employment and the resolution of any conflict or potential conflict shall be maintained in the employee's file in their department and by Human Resources.

An employee's outside employment must not interfere with the City's scheduling demands, attendance, or performance standards. In addition, you may not perform services on behalf of any other person or employer during your workday for the City.

14.00 DAMAGE TO PERSONAL PROPERTY

The City shall reimburse any employee whose personal property (glasses, dentures, etc.) has been destroyed in the line of duty without negligence or fault by the employee. All claims must be substantiated by the department head and documented with a corresponding invoice. The Board of Public Works and Safety or Board of Parks and Recreation must approve these claims.

The City cannot be responsible and is not liable for loss or damage to your personal property (including, but not limited to, damage to your personal vehicle in our parking areas or used in performing duties for the City.) You should not bring valuables or large amounts of money to work. You should take reasonable precautionary measures in order to secure personal items.

15.00 INFORMATION SYSTEMS ACCEPTABLE USE POLICY

15.01 OVERVIEW

The City of West Lafayette's intentions for publishing an Acceptable Use Policy are not to impose restrictions that are contrary to its established culture of openness, trust and integrity. The City's Information Technology Department is committed to protecting the City and its employees from illegal or damaging actions by individuals, either knowingly or unknowingly.

Internet/Intranet/Extranet-related systems, including but not limited to computer equipment, mobile communication devices, software, operating systems, storage media, network accounts, and electronic communications, are the property of the City of West Lafayette. These systems are to be used for business purposes in serving the interests of the City and its citizens in the course of normal operations.

Effective security is a team effort involving the participation and support of every employee who deals with information and/or information systems. It is the responsibility of every information system user to know these guidelines, and to conduct their activities accordingly.

15.02 PURPOSE

The purpose of this policy is to outline the acceptable use of information technology. Inappropriate use exposes the City of West Lafayette to risks including financial risk, compromise of

network systems and services, loss of productivity, and legal issues.

15.03 SCOPE

This policy applies to the procurement, use of, and disposal of information systems. Information systems include:

- Electronic and computing devices.
- Network infrastructure and resources used to interact with city networks and systems.
- Systems owned or leased by the City of West Lafayette, the employee, or third parties.

Everyone is responsible for exercising good judgment regarding appropriate use of information, electronic devices, and network resources in accordance with the city policies and local laws and regulations.

15.04 GENERAL USE AND OWNERSHIP

Information stored on electronic and computing devices whether owned or leased by the City, the employee or a third party, remains the sole property of the City of West Lafayette. Employees must be aware that electronic information including but not limited to messages, documents, transaction records, social media activity, etc. may contain sensitive information, and/or be subject to public records retention policies and as such must be handled accordingly. Failure to do so may be punishable by law. Contact the City Clerk if you have questions about public records. If in doubt, treat the information as a public record for retention purposes, but seek guidance on the appropriate policy for distribution of the data, in order to ensure that sensitive or regulated data is not inappropriately released. In short, hold on to and do not distribute data about which you have questions until you receive clarification from the data owner about disposal or distribution.

You have a responsibility to promptly report the theft, loss or unauthorized disclosure of sensitive information.

You may access, use or share sensitive information only to the extent it is authorized and necessary to fulfill your assigned job duties.

Employees are responsible for exercising good judgment regarding the reasonableness of personal use.

For security review and network maintenance purposes, authorized individuals within the City of West Lafayette may monitor equipment, systems and network traffic at any time. Authorization to monitor network traffic shall be in writing, and pre-approved by the Mayor.

The Information Technology Department reserves the right to audit networks and systems on a periodic basis to ensure compliance with city policies.

15.05 INFORMATION SECURITY

System level and user level credentials, including passwords must comply with the *Acceptable Authentication and/or Authorization*. Providing an access credential to another individual, either deliberately or through failure to secure its access, is prohibited. All computing devices must be secured with an authentication protected session lock with the automatic activation feature set to 30 minutes or less. Employees must lock the screen or log off when the device is unattended.

Postings by employees from a City of West Lafayette network account to newsgroups, social media sites, weblogs, etc., should be avoided unless authorized by a supervisor to do so as a normal business duty.

Employees should avoid opening e-mail attachments, links, postings, messages, etc. received from unknown senders, or unexpected content from known senders, as this content may be malicious.

15.06 UNACCEPTABLE USE

The following activities are, in general, prohibited. Employees may be exempted from these restrictions during their legitimate job responsibilities.

Under no circumstances is an employee authorized to engage in any activity that is illegal while utilizing the City of West Lafayette information systems.

The lists below are by no means exhaustive but attempt to provide a framework for activities which fall into the category of unacceptable use.

System and Network Activities

The following activities are strictly prohibited, with no exceptions:

1. Violations of the rights of any person or company protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations, including, but not limited to, unauthorized access to systems and the installation or distribution of "pirated" or other software products that are not appropriately licensed for use by the City of West Lafayette.
2. Unauthorized copying of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books or other copyrighted sources, copyrighted music, and the installation of any copyrighted software for which the City of West Lafayette or the end user does not have an active license is prohibited.
3. Accessing data, a server or an account for any purpose other than conducting the City of West Lafayette business, even if you have authorized access, is prohibited.
4. Introduction of services, hosts, and networking equipment into the network environment including, but not limited to, wireless access points, cloud services, internet service, switches, routers, firewalls, non-city owned equipment, data links, network bridges, servers, unmanaged PC's, and unmanaged mobile devices is prohibited without prior authorization from the IT department.
5. Introduction of malicious programs into the network or server (e.g., viruses, worms, Trojan horses, e-mail bombs, etc.).
6. Revealing your account credential (e.g. username and password) to others or allowing unsupervised use of your account by others.
7. Using a City of West Lafayette computing asset to actively engage in procuring or transmitting material that is in violation of sexual harassment, discrimination of any kind, bullying or hostile workplace laws.
8. Making fraudulent offers of products, items, or services originating from any City of West Lafayette account.
9. Effecting security breaches or disruptions of network communication. Security breaches include, but are not limited to, accessing data of which the employee is not an intended recipient or logging into a server or account that the employee is not expressly authorized to access, unless these duties are within the scope of regular duties. For purposes of this section, "disruption" includes, but is not limited to, network sniffing, pinged floods, packet spoofing, denial of service, and forged routing information for malicious purposes.
10. Network, or host scanning unless prior authorization from the City's Director of Information Technology is received in writing.
11. Executing any form of network monitoring which will intercept data not intended for the employee's host, unless this activity is a part of the employee's normal job/duty.
12. Circumventing user authentication or security of any host, network or account.
13. Using any program/script/command, or sending messages of any kind, with the intent to interfere with, or disable, a user's session, via any means, locally or via the Internet/Intranet/Extranet.
14. Providing sensitive information about, or lists of, the City of West Lafayette's employees or citizens to third parties outside the City of West Lafayette government, unless this activity is a part of the employee's normal job/duty and in response to a lawful request.

15.07 POLICY COMPLIANCE

The City of West Lafayette's I.T. team will verify compliance to this policy through various methods, including, but not limited to, business tool reports, internal and external audits, and feedback to the Mayor.

Any exception to Section 16.00 of this policy must be approved in advance by the City's Director of Information Technology.

16.00 ELECTRONIC MAIL AND INTERNET USAGE

The purpose of this policy is to promote the productive use of internet and electronic mail resources while preventing the abuse and misuse that can negatively impact productivity and expose the City of West Lafayette to potential liabilities.

The use of electronic information is a privilege and requires responsible and ethical use. All employees shall use common sense and sound judgment when utilizing the e-mail or internet system just as they would if they were writing memoranda or letters. All e-mails should be courteous and professional. Examples of unacceptable use of the internet and e-mail include but are not limited to: reviewing non-business related sites or pornographic sites; downloading or copying software from the internet; e-mailing chain letters and other types of mass mailings; and, transmitting messages or materials that violate the City's policy against harassment and discrimination or for transmitting otherwise inappropriate messages or materials that contain defamatory, abusive, harassing, obscene, pornographic, profane, sexually oriented, threatening, racially offensive or otherwise biased, discriminatory, or illegal material, whether self-generated or involuntarily received from inside or outside the City.

Limited personal use of e-mail and the internet should, with infrequent exceptions, occur on the user's own time and shall not interfere with the employee's job responsibilities. Personal use of e-mail and the internet must be consistent with the City's policy on Electronic Mail and Internet Usage.

The computer technology and e-mail systems are the property of the City of West Lafayette and are subject to monitoring. All data entered, created, received, stored or transmitted via City systems are considered City Property. Users should be aware that e-mail messages cannot be considered private and may be subject to inspection by outside third parties and the employee's supervisor, department head or the Human Resources Director.

The use of a password to access the internet or e-mail system does not assure the confidentiality of any message stored in, created, received, or sent from the City e-mail system. Use of passwords or other security measures does not in any way diminish the City's rights to access materials on its system or create any privacy rights of employees in the messages and files on the system. Any password used by a City employee must be provided to their supervisor or department head, as an employee's file may need to be accessed in an employee's absence.

E-mails to and from the City's legal counsel must be treated with special care to protect attorney/client privilege. They should not be forwarded to others (inside or outside the City) without the attorney's prior direction.

Any employee who abuses the privilege of using the City's e-mail system or internet access will be subject to appropriate disciplinary action up to and including termination.

17.00 CELLULAR PHONE USAGE

While at work, employees are expected to exercise the same discretion in using personal cellular phones as is expected for the use of work phones. Personal calls during the work hours, regardless of the phone used, can interfere with employee productivity, safety and be distracting to others. Employees should keep personal calls to a minimum.

Employees who carry City cell phones for business reasons and use features including, but not limited to, cameras, texting, games, music and Internet connectivity are subject to the same rules as in the Electronic Mail and Internet Usage policy.

17.01 INDIANA HANDS-FREE DRIVING LAW

Governor Holcomb signed into law House Enrolled Act 1070, Indiana code 9-21-8-59 on July 1, 2020 banning the use of hand-held devices while driving. The objective is to increase roadway safety in Indiana by updating Indiana's distracted driving law to require drivers to use hands free technology when using a telecommunications device behind the wheel.

Studies have demonstrated how the use of cell phones while driving pose a significant safety risk to motorists, their passengers and others on the road. Employees whose job responsibilities include driving or equipment operation are expected to refrain from using their cellular device (including hands free) while driving or operating equipment. If acceptance of a call is unavoidable and pulling over is not an option, employees are expected to keep the call short and use a hands free or voice operated technology. Safety must come before all other concerns.

CDL holders are held to an even higher standard and, regardless of the circumstances, may not use cell phones or any other mobile electronic devices while operating a motor vehicle. This includes, but is not limited to, answering or making phone calls, engaging in phone conversations, reading or responding to emails and text messages, adjusting a Global Positioning System (GPS) and accessing the Internet.

Texting and emailing while driving is never acceptable. All employees must pull over to a safe place and stop the vehicle before sending or replying to a text or email.

Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions. Violations of this policy may result in disciplinary action, up to and including termination.

18.00 SOCIAL MEDIA POLICY

City of West Lafayette employees, citizens, and other members of the public use the Internet to obtain information about the City and our services.

The City always expects employees to act responsibly and exercise good judgment and the highest degree of professionalism and confidentiality. This responsibility is particularly important regarding information placed on the Internet about the City and any of its employees. No information about our citizens (whether identified or not) should ever be placed on the Internet.

Information placed on the Internet and data sent via other electronic media (e.g., email, text messages, etc.) can easily end up in the public domain. Absolute privacy of information and data placed on the Internet and sent electronically cannot be guaranteed. If you fail to act responsibly in that regard, the information and content placed on the Internet or communicated via other media can have a harmful effect on the City, its employees, and others associated with us. Employees must be cognizant of the impression you create when information is placed about the City or its employees on the Internet.

With the above in mind, the City has established guidelines to ensure that the City and all persons associated with it are always treated with respect and professionalism. We also want to ensure that anything that is placed in the public domain about the City is in the best interests of the city and that is reflects positively on us. Accordingly, you must adhere to these guidelines regarding information placed on the Internet about the City or its employees, or both:

1. If you create or maintain a web site, blog, or similar internet site about yourself (e.g., Facebook, Twitter, Instagram, LinkedIn, etc.), you must exercise the highest degree of good judgment regarding the material placed on that site or blog. For example, you should ask yourself: "What would a prospective or current citizen think about me or the City, or both, if the citizen sees this material? If the answer is that the citizen might perceive something negative, then the material that may create a negative impression about the individual or the City should not be placed on the site or blog.

2. If you participate in a blog or other site by making comments about public issues, you may not identify yourself as associated with the City, either explicitly or implicitly, unless authorized in writing by the Mayor. Messages about the City on Twitter and other sites are not permitted without prior written authorization. We do allow you to identify your affiliation with the City on LinkedIn, Facebook, and similar sites.

3. Content placed on the Internet or transmitted via other media may not be potentially or defamatory, abusive, threatening, harassing, invasive of privacy, or injurious to you, a citizen, or another individual. Moreover, this content may not violate the City's confidentiality policies.

Employees should not have any expectation of privacy while accessing social media at work or on company-owned equipment.

As is true of all other City policies, a violation of this policy may result in disciplinary action, up to and including termination of employment.

19.00 BENEFITS

Active full-time employees of the City are eligible to participate in a wide range of benefits. Benefits such as Social Security, workers' compensation, and unemployment insurance cover you in the manner prescribed by State law. Health and welfare benefits such as medical, dental, vision, life, and disability insurance are also provided as well as an array of voluntary benefit programs. Some benefit programs require contributions by the employee, while others are fully paid by the City. Employees should refer to their current Employee Benefit Guide for detailed benefit information.

19.01 HEALTH CARE CONTINUATION COVERAGE

The Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their families who lose their health benefits the right to choose to continue group health benefits provided by their group health plan for limited periods of time under certain circumstances such as voluntary or involuntary job loss, reduction in the hours worked, transition between jobs, death, divorce, and other life events. Qualified individuals may be required to pay the entire premium for coverage up to 102 percent of the cost to the plan.

19.02 GROUP INSURANCE FOR PUBLIC EMPLOYEES

Employees who have 20 years of service with a public employer who have completed at least 15 years of participation in the INPRS retirement plan, may remain on the City's group medical insurance plan. This insurance will end when an employee becomes eligible for Medicare.

19.03 INDIANA PUBLIC RETIREMENT SYSTEM ("INPRS")

Full-time civilian employees of the City who are covered by this Policy are required to participate and be enrolled in the Indiana Public Retirement System ("INPRS"). The terms, conditions, benefits, eligibility requirements and contribution rates for INPRS are defined by statute and/or the Fund. Information concerning INPRS is available during an employee's orientation and by contacting the Human Resources Department.

20.00 UNIFORM/CLOTHING ALLOWANCE

A uniform or clothing allowance is granted to qualified personnel pursuant to the annual City budget and payable in two (2) installments (April and October) subject to the availability of funds. This allowance is to purchase, repair and maintain uniforms or clothing. Accrual is calculated on a six-month basis.

The City may purchase uniforms for qualified personnel that consists of apparel with City and departmental identification if the following conditions are met: the apparel is required to be worn during the work day for a work-related purpose, is prohibited from being worn outside of work except *de minimis* (to and from home), shall not be worn by anyone else, and is to be returned upon termination of employment. A violation of the uniform policy may result in disciplinary action and will also result in the uniform being reported as a taxable fringe benefit according to Internal Revenue Service guidelines.

20.01 SAFETY-TOE FOOTWEAR ALLOWANCE

Employees may be required to wear safety-toe protective footwear while performing their job duties. In this instance, safety-toe footwear or work boots are considered Personal Protective Equipment (PPE). The City will provide eligible employees with an annual monetary reimbursement allowance of up to one-hundred fifty (\$150.00) to full-time employees who are required to wear steel/composite safety-toe footwear. Employees will be reimbursed through the A/P claims process once the original purchase receipt is submitted and approved by the employee's supervisor.

Employees who choose to wear everyday work boots to perform their job duties, will be solely responsible for the cost of their footwear.

21.00 VACATION

21.01 ELIGIBILITY

Vacation with pay is available to regular full-time and regular part-time employees. Full-time and part-time employees are eligible to use vacation during their first year of partial employment on a pro-rated basis in accordance with Section 22.02. Vacation is awarded on a calendar-year basis. At the Mayor's sole discretion, a department head or other employee may be granted vacation leave in an amount and at a time the Mayor deems appropriate under the circumstances. Seasonal and Temporary employees are not eligible for paid vacation. Vacation leave will not be considered hours worked for the computation of overtime or earning compensatory time.

21.02 AMOUNT OF VACATION

Your vacation allotment during the first partial calendar year of employment will be in accordance with the following schedule:

<u>LENGTH OF SERVICE</u>	<u>VACATION DAYS PER YEAR</u>
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If employee is hired by:

March 1	10 days
April 1	9 days
May 1	8 days
June 1	7 days
July 1	6 days
August 1	5 days
September 1	4 days
October 1	3 days
November 1	2 days
December 1	1 day

The following shows the vacation you earn annually for each full calendar year of service on January 1.

1-5 years	10 days
6-11 years	15 days
12 or more years	20 days

Regular part-time employees, who are scheduled to work 20 hours or more per week, will be awarded vacation time on a pro rata basis.

21.03 CARRY-OVER PROVISION

An employee may elect to carry over up to five days of accrued vacation into the following calendar year. Excess days will be forfeited at the end of the calendar year.

21.04 REQUESTS FOR VACATION

Vacation leave will be granted at a time which is mutually acceptable to the employee, their supervisor and the department head, consistent with the demands of the department and should be requested of the department head as far in advance as possible. The department head has the discretionary authority to approve, deny and cancel any vacation leave request for good cause. Each department head may set criteria for vacation scheduling that take into account specific conditions of their department. Vacation time may be taken in 30-minute increments.

21.05 HOLIDAYS DURING VACATION

Paid holidays and official holidays occurring during an employee's vacation period will not be counted against the vacation leave.

21.06 VACATION LEAVE UPON TERMINATION

When an employee terminates, vacation leave which is unused at the time of termination will be granted in the form of compensation for that time. An employee who terminates that was hired prior to January 1, 2020 will also receive accrued vacation leave at the time of termination. The employee's termination date may not be extended to include unused vacation time for the purpose of extending benefits. The employee's effective termination date shall always be the last day worked. If employment is terminated during the introductory period, accrued vacation leave will be paid out at the time of separation.

If an employee fails to give at least fourteen (14) days written notice before resigning from employment, he/she will not be entitled to unused, accrued vacation upon termination.

21.07 INTERRUPTION OF SERVICE

An employee who has worked a minimum of three (3) consecutive years who has an interruption in employment of one year or less shall be credited with prior full-time service. After an interruption of more than one year, a returning employee shall be treated as a new employee for purposes of calculating vacation time earned and shall not receive credit for prior service.

22.00 PERSONAL LEAVE

22.01 POLICY

The City of West Lafayette provides personal leave to employees who must be absent from normal duties to take care of personal business. Personal leave will not be considered hours worked for the computation of overtime pay or earning compensatory time.

22.02 MAXIMUM PERSONAL DAYS GRANTED

After the Training/Orientation Period, a regular full-time employee hired prior to July 1 shall be granted two regularly scheduled workdays of personal leave in a calendar year. Regular part-time employees hired prior to July 1 shall be entitled to 2 days personal leave on a *pro rata* basis. Personal leave cannot be carried over from one year to the next. Upon termination an employee will not be compensated for unused personal leave. (For Patrol Dispatchers see 24.02 for explanation of personal days.)

22.03 REQUESTING PERSONAL LEAVE

An employee should request personal leave from their supervisor or department head 48 hours in advance of the period to be absent from normal duties unless the need for personal leave is not foreseeable or it is otherwise not possible to make the request in advance. Personal leave may be taken in one-quarter (1/4) hour increments, subject to approval by your supervisor and/or department head.

22.04 INTRODUCTORY, SEASONAL AND TEMPORARY EMPLOYEES

Introductory, Seasonal and Temporary employees are not eligible for personal leave.

22.05 EXTENDED LEAVE WITHOUT PAY

The Board or Public Works and Safety, upon the request of a department head, may grant an extended leave without pay and/or fringe benefits to an employee. Extended leave shall total no more than 60 working days, excluding leave taken under the Family and Medical Leave Act. The department head or their designee is responsible for maintaining a permanent record of extended leave for each employee. An employee will not be granted extended leave under this section until he/she has exhausted any unused vacation leave, personal leave and compensatory time.

23.00 HOLIDAYS WITH PAY

23.01 POLICY

The City of West Lafayette designates certain days to be observed as paid holidays in each calendar year for all regular full- and part-time employees. The holiday pay will be based upon the normal scheduled workday. Regular part-time employees shall be entitled

to holiday leave on a *pro rata* basis. Holidays will be considered hours worked for the computation of overtime pay or earning compensatory time.

23.02 DESIGNATED HOLIDAYS

The days of the official holidays for the City of West Lafayette for the succeeding calendar year will be designated by the Mayor and presented by memorandum from the Human Resources Director by December 20th of each year. The Street and Sanitation Department may schedule other days to be observed in lieu of such holidays in order to maintain services. Patrol Dispatchers are entitled to 14 (fourteen) days of personal leave per calendar year in lieu of the City designated holidays. During the first calendar year of a patrol dispatcher's employment, personal days will be prorated by multiplying .27 by the number of calendar days remaining in the year. Requests for personal days must be submitted to their Head Dispatcher.

The Mayor, at their discretion, will designate which days departments and offices of the City of West Lafayette will be open and closed.

23.03 WORKING ON A DESIGNATED HOLIDAY

Wastewater Treatment Utility operators whose normal day off falls upon a designated holiday of the City shall have a regularly scheduled workday off with pay as assigned by the immediate supervisor. The supervisor will schedule the alternate workday off in the same pay period. Parks and Recreation employees who work at a facility required to remain open on a designated City holiday due to business necessity will work the scheduled holiday at their regular rate of pay for the hours worked. A substitute day off will be assigned by the immediate supervisor equal to the hours worked on the holiday. All other employees (other than police dispatch) who work a designated holiday will be compensated in accordance with the salary ordinance regardless of hours actually worked in the scheduled work week.

23.04 NON-PAID HOLIDAYS

Seasonal and Temporary employees are not eligible for paid holidays.

24.00 BEREAVEMENT LEAVE

The City of West Lafayette provides its regular full-time and part-time employees with bereavement leave to attend the funeral of a family member and to handle personal affairs.

1. Employees will be allowed up to five days of paid leave for the death of a spouse, child, parent and corresponding in-law, or step-relative of your spouse or domestic partner.
2. Employees will be allowed up to three days of paid leave for the death of a grandparent, grandchild, sibling, and corresponding in-law, or step-relative of your spouse or domestic partner.
3. Employees will be allowed one day of paid leave for the death of an uncle, aunt, niece, nephew.
4. Employees will be allowed one-half day of paid leave to attend a funeral service for a co-worker in the same department, subject to the staffing needs of your department as determined by your department head.

An employee in need of more bereavement must use vacation, personal leave, or compensatory time, or seek approval for additional unpaid leave through their department head, who shall review each request on a case-by-case basis. Bereavement leave will not be considered hours worked for the computation of overtime pay or earning compensatory time.

An employee may be asked to provide documentation of the death, such as a newspaper report.

25.00 PAID SICK LEAVE

25.01 POLICY

The City of West Lafayette provides sick leave to its regular employees and allows for the accrual of unused sick leave, within certain limitations. Annual sick leave is a privilege granted to an employee as a protection, IN CASE OF NEED, should he/she

become ill and not able to work, should an illness strike a member of the immediate family or for medical appointments of the employee or a spouse or child of the employee. Sick leave will not be considered hours worked for the computation of overtime pay or earning compensatory time. Paid sick leave may be used in one-quarter (1/4) hour increments.

25.02 REGULAR EMPLOYEES

Annual sick leave will accrue at the rate of .0385 hours per regularly scheduled work hours, including all paid leave, for regular full-time employees, but not for hours worked in excess of regularly scheduled work hours. Ninety (90) days is the maximum sick leave which can be accumulated by an employee during the course of their employment. Sick leave will accrue on a *pro rata* basis for regular part-time employees based on the number of hours scheduled in their work week.

25.03 DOCTOR'S CERTIFICATION

Upon the request of a supervisor or department head, an employee may be required to present a doctor's certificate, signed by the attending physician, to be entitled to paid sick leave.

25.04 SEASONAL AND TEMPORARY EMPLOYEES

Seasonal and Temporary employees are not eligible for paid sick leave.

25.05 SICK LEAVE UPON TERMINATION

Upon termination of employment, employees will be paid for unused sick leave, up to a maximum of 45 full days. Employees hired before May, 1986 who have up to 60 days of accrued sick leave upon termination of employment will be compensated in full for the first 30 days of accrued sick leave, and will be compensated for one half of the next 30 days, for a total of 45 full days of compensation. Employees hired after May 1986 who have up to 90 days of accrued sick leave upon termination of employment will be compensated for one half of the balance, or a total of 45 full days of compensation.

A day shall mean a regularly scheduled workday for that employee. If an employee fails to give at least fourteen (14) days written notice before resigning from employment, he/she will not be entitled to unused, accrued sick leave upon termination.

26.00 COURT AND JURY LEAVE

The City of West Lafayette grants employees leave to serve on a jury in any state, federal, or local court without loss of pay. An employee should notify their supervisor or department head upon receipt of a summons. In order to be entitled to jury duty leave, an employee must refund any jury duty compensation from the court to the City by remitting such payment to the Finance Office. While on jury duty leave, the employee will retain all benefits and continue to accrue sick leave and vacation. The duration of the jury duty will be considered hours worked for the computation of overtime pay and earning compensatory time. However, the maximum hours of work credited per day cannot exceed the hours in the employee's regularly scheduled workday. An employee appearing in court on their own behalf, as a subpoenaed witness, or as a party in a lawsuit, is required to use a paid personal day, vacation leave or must take the time off as unpaid leave.

27.00 FAMILY AND MEDICAL LEAVE ACT

27.01 POLICY

The City of West Lafayette provides up to twelve weeks of leave in accordance with the Family and Medical Leave Act ("FMLA") to all eligible employees. The City of West Lafayette utilizes a rolling twelve-month period for the determination of eligibility for FMLA leave.

The Human Resources Manager is responsible for administering the City of West Lafayette's FMLA policy. Any questions about the application of the FMLA to an employee's circumstances or any other questions about the FMLA or this policy should be directed to the Human Resources Manager.

27.02 ELIGIBLE EMPLOYEES

An employee is eligible for FMLA leave if he/she:

- A. has been employed by the City for at least 12 months, and
- B. has been employed by the City for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave.

Employees who do not satisfy these requirements are not eligible for FMLA leave but may be eligible for other leave in accordance with the City of West Lafayette policy.

27.03 REQUIREMENTS

An employee may request a total of 12 weeks (60 workdays) of leave during a 12-month period for the following reasons:

- A. because of the birth of a child of the employee and in order to care for such child;
- B. because of the placement of a child with the employee for adoption or foster care and to care for such child;
- C. in order to care for a husband or wife including married same-sex partner, regardless of residency.; or a son or daughter; or parent of an employee who has a serious health condition (reasonable documentation of the family relationship may be required), or
- D. because of a serious health condition that makes the employee unable to perform one or more of the essential functions of the employee's position.

"Serious health condition" is a term that is specifically defined in the FMLA. The Human Resources Manager can provide additional information regarding this term.

27.04 PAID AND UNPAID LEAVE

An employee is required to exhaust all accrued paid vacation, personal and sick leave for any part of the 12-week period of FMLA leave, unless the FMLA leave is due to a work-related injury/illness. If an employee is on FMLA leave, the unused accrued leave will remain intact but not accrue during that leave.

After the exhaustion of all accrued paid vacation, personal and sick leave, the remaining time in the FMLA leave period shall be unpaid.

An employee may request to use accrued compensatory time for an FMLA reason. If the employee is paid during the absence from the employee's accrued compensatory time account, it may not be counted against the employee's FMLA leave entitlement.

27.05 REQUEST FOR FMLA LEAVE

If leave is foreseeable, i.e. expected birth or placement of a child, planned medical treatment for a serious health condition of the employee or the employee's spouse including married same-sex partner, child or parent, the employee must notify the Human Resources Manager of the duration of the leave and the date leave will begin at least 30 days in advance of leave commencing. When the need for leave is not foreseeable, or when it is not possible to give 30 days' notice, an employee must give notice as soon as practicable, or within no more than two working days of learning of the need for leave.

In the case of a worker's compensation claim that is also covered by FMLA leave, the Human Resources Manager will notify the employee in writing the effective starting date of the leave.

27.06 FAMILY AND MEDICAL LEAVE TAKEN INTERMITTENTLY OR ON A REDUCED LEAVE BASIS

An employee may take FMLA leave on an intermittent or a reduced leave basis when medically necessary for medical treatment for or recovery from a serious health condition or periods of incapacity due to an employee's or an employee's spouse including married same-sex partner, child, or parent's serious health condition. Such leave must be supported by a certification from the employee's or the employee's spouse including married same-sex partner, child, or parent's health care provider stating that the medical need can best be accommodated through an intermittent or reduced leave schedule.

27.07 TIME LIMIT

The maximum amount of FMLA leave an employee may take is 12 weeks (60 workdays), including all accrued paid vacation, personal and sick leave, within any 12-month period. An employee who has exhausted their 12 weeks and is still unable to return to work due to their serious health condition, may request additional leave as a reasonable accommodation under the Americans with Disabilities Act.

27.08 CERTIFICATION

When the need for leave is foreseeable, the employee should provide the Human Resources Manager with a certification supporting the need for FMLA leave from their health care provider or from the spouse's including married same-sex partner's, child or parent's health care provider before the leave begins. If this is not possible, the employee must provide the certification within 15 calendar days after the City's request for such certification. The certification must be on the form provided by the City and can be obtained from the Human Resources Manager. If the City has reason to doubt the validity of the certification, the employee may be required to obtain a second opinion of a health care provider, designated or approved by the City of West Lafayette, and at the expense of the City of West Lafayette. If the opinion of a third healthcare provider is required, it will be at the expense of the City and the City and the employee must jointly approve the health care provider.

Except as otherwise provided by the Family and Medical Leave Act and accompanying regulations, during a period of FMLA leave, the employee is required to provide to Human Resources subsequent re-certifications every 30 days for the duration of leave.

Upon return from FMLA leave for an employee's serious health condition, the employee shall be required to supply Human Resources with certification, at the employee's expense, from their health care provider that he/she is able to resume work.

27.09 MAINTENANCE OF BENEFITS

During any FMLA leave, the City of West Lafayette shall maintain all group health plan benefits the employee was entitled to at the time the leave commenced. However, the City of West Lafayette will only maintain the portion of the employee's group health plan benefits that it was paying at the time the employee's FMLA leave commenced. It is the responsibility of the employee to pay their portion of their health plan benefits during the period of FMLA leave in a timely manner as specified by the Finance Office.

Employees do not accrue additional seniority or employment benefits during unpaid FMLA leave. An employee returning from FMLA leave is entitled to no greater right, benefit or position than the employee would have been entitled to had he/she not taken the period of FMLA leave.

The City of West Lafayette may recover the premiums paid for maintaining group health plan benefits for the employee during the period of FMLA leave if the employee fails to return because of any reason or circumstance other than the continuation of, reoccurrence or onset of a serious health condition that would entitle the employee to a period of FMLA leave or any other circumstance that is beyond the control of the employee.

27.10 RESTORATION

Subject to 29 C.F.R. § 825.216 and provisions of this policy. Upon return from FMLA leave, an employee is entitled to be restored to the position of employment he/she held at the time the period of leave commenced or to be restored to an equivalent position, with equivalent benefits, pay and other terms and conditions of employment.

27.11 RECORDING OF LEAVE UNDER THE FAMILY AND MEDICAL LEAVE ACT

The Human Resources Manager is responsible for maintaining a permanent record of an employee's FMLA leave.

27.12 CONSEQUENCES OF EMPLOYEE'S FAILURE TO MEET THEIR OBLIGATIONS UNDER THE FMLA

An employee who fails to meet their obligations to the City under the FMLA as described above may be denied the benefits and protections of the FMLA in accordance with applicable law.

An employee may not maintain secondary employment while on FMLA leave for their own serious health condition if it creates an actual or apparent conflict of interest or the restriction relates to a bona fide occupational requirement. Additionally, fraudulent use of FMLA leave in situations that lie outside of the medical or other parameters for which the leave was approved is considered grounds for immediate termination

27.13 UNLAWFUL ACTS OF EMPLOYERS

The FMLA makes it unlawful for any employer to:

(a) interfere with, restrain, or deny the exercise of any right provided under FMLA;

(b) discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

The FMLA does not affect any federal or state law prohibiting discrimination.

27.14 FMLA – MILITARY FAMILY LEAVE ENTITLEMENTS

The National Defense Authorization Act of 2010 (NDAA 2010) was signed into law on October 28, 2009, this new law includes an expansion of the recently enacted exigency and caregiver leave provisions for military families under the Family and Medical Leave Act of 1993.

27.15 MILITARY CAREGIVER LEAVE

A. An employee is eligible for military caregiver leave if he/she is the service member's spouse including married same-sex partner, child, parent, or nearest blood relative.

B. A "Covered Service Member" is a current member of the Armed Forces, including the National Guard, or Reserves.

C. An eligible employee is limited to a combined total of up to 26 weeks of unpaid leave in a 12-month period.

27.16 QUALIFYING EXIGENCY LEAVE

A. An employee is eligible for exigency leave if he/she has a spouse, son, daughter, or parent on active duty, or has been notified of an impending call or order to active duty, in support of a contingency operation.

B. Qualifying exigency leave is available to a family member of a military member in the National Guard or Reserves; it only extends to family members of military members in the Regular Armed Forces if deployed on active duty in a foreign country.

C. An eligible employee may take up to a total of 12 weeks of unpaid leave.

D. Qualifying exigencies include: short-notice deployment (a week or less in notice of deployment); military events and related activities; urgent child care and related activities; financial and legal arrangements; counseling; rest and recuperation; post-deployment activities; and any other event that the employee and the employer agree is a qualifying exigency.

27.17 NOTICE REQUIREMENTS

A. Employees seeking to use military caregiver leave must provide 30 days advance notice of the need to take FMLA leave for a planned medical treatment for a serious injury or illness of a covered service member. If 30 days advance notice is not practicable, then he/she must provide notice as soon as practicable – generally, either the same or next business day.

B. An employee must provide notice of the need for the foreseeable leave due to a qualifying exigency as soon as practicable.

27.18 CERTIFICATION REQUIREMENTS

A. Leave to care for a covered service member must be supported by a certification completed by an authorized health care provider or by a copy of an Invitational Trade Order (ITO) or Invitational Travel Authorization (ITA) issued to any member of the covered service member's family.

B. Leave for a qualifying exigency must be supported by a copy of the covered military member's active duty orders and certification providing the appropriate facts related to the particular qualifying exigency for which leave is sought, including contact information if the leave involves meeting with a third party.

28.00 MILITARY FAMILY LEAVE

Effective July 1, 2007, Governor Daniels signed into law the Military Family Leave Act. Under this Act, employees may take up to 10 days of unpaid leave per year during one or more of the following periods:

- A. during the 30-days before active duty orders are in effect,
- B. during a period in which the person ordered to active duty is on leave while active duty orders are in effect,
- C. during the 30 days after the active duty orders are terminated.

28.01 ELIGIBLE EMPLOYEES

An employee is eligible for military family leave if he/she:

- A. is the spouse including married same-sex partner, parent, grandparent, or sibling of the service person, as defined in Ind. Code Section 22-2-13, and
- B. has been employed by the City for at least 12 months, and
- C. has been employed by the City for at least 1,500 hours of service during the 12-month period immediately preceding the commencement of the leave.

28.02 REQUEST FOR LEAVE

Employees must give written notice of a request for leave, including a copy of the active duty order if available, to Human Resources of a request for leave at least 30 days prior to the requested leave, unless the service person's active duty orders are issued less than 30 days prior to the requested leave. If an employee fails to provide verification, the city may consider the employee's absence unexcused.

28.03 MAINTENANCE OF BENEFITS

During any family military leave, the City of West Lafayette shall maintain all group health plan benefits the employee was entitled to at the time the leave commenced. However, the City of West Lafayette will only maintain the portion of the employee's group health plan benefits that it was paying at the time the employee's family military leave commenced. It is the responsibility of the employee to pay their portion of their health plan benefits during the period of family military leave in a timely manner as specified by the Controller.

28.04 RESTORATION

An employee returning from military family leave will be restored to the same or equivalent position of employment he/she held at the time the period of leave commenced unless the reason for not restoring the employee to the same or equivalent position is unrelated to their use of military family leave.

28.05 PAID AND UNPAID LEAVE

An employee may choose to substitute accrued vacation leave or compensatory time for any or all of the unpaid family military leave.

29.00 MILITARY LEAVE

The City of West Lafayette provides military leave to any City employee who is a member of the Indiana National Guard, a member of a reserve component or branch of the United States Military, or a member of the retired personnel of the naval, air or ground forces of the United States in compliance with the Uniformed Services Employment and Re-employment Rights Act and the Indiana Code. All employees requiring military leave shall give advance notice as soon as practicable to their supervisor of when they shall require military leave. In accordance with I.C. § 10-16-7-5, a City employee is entitled to receive a leave of absence in addition to regular vacation period without loss of time or pay for the time the employee is on training duties of the state of Indiana under the order of the governor as commander in chief; or, for the

time a City employee is a member of any reserve component under the order of the reserve component authority. This leave shall be paid military leave for any consecutive or nonconsecutive period that does not exceed a total of fifteen (15) days in any calendar year. Paid military leave pursuant to I.C. § 10-16-7-5 will be considered hours worked for the computation of overtime pay and earning compensatory time. However, the maximum hours of work credited per day cannot exceed the hours in the employee's regularly scheduled workday. A City employee who is a member of the Indiana National Guard is also entitled to military leave of absence in addition to the employee's regular vacation period for the total number of days that the employee is on state active duty in accordance with I.C. § 10-16-7-7. Military leave pursuant to I.C. § 10-16-7-7 shall be unpaid; however, an employee may use their personal leave or vacation on those days when military leave is required. Eligibility for reinstatement after completion of military duty or training is determined in accordance with applicable federal and state laws.

30.00 TOBACCO FREE WORKPLACE POLICY

Effective July 1, 2007, in keeping with Ordinance No. 28-05 and with the City of West Lafayette's intent to provide a safe and healthful work environment for its employees, customers, and visitors, smoking, which includes e-cigarettes or similar vaping devices, is prohibited in any City owned or leased building.

30.01 POLICY

Smoking shall not be permitted in any indoor work area. This includes common work areas, conference and meeting rooms, private offices, elevators, hallways, employee lounges, stairs, restrooms, shops, warehouses, and vehicles used for business. This policy applies to all employees, suppliers, visitors, and customers.

Employees who need to smoke at work may do so during their scheduled 15-minute break period. Each building owned or leased by the City shall establish a smoking area in accordance with this policy and utilize the following guideline:

- Smoking shall occur at a distance not closer than 15 feet from a ventilation system or a public entrance to any area where smoking is prohibited to ensure that tobacco smoke does not enter the area through entrances, windows, ventilation systems or any other means.

30.02 SUPPORT FOR TOBACCO USERS

Tobacco users who want to quit may contact the Human Resources Department for information on tobacco cessation programs and other available resources.

30.03 COMPLIANCE

Compliance with the smoke-free workplace policy is mandatory for all employees and persons visiting the City, with no exceptions. Employees who violate this policy are subject to disciplinary action.

31.00 SAFETY POLICY

The City of West Lafayette and all employees of the City are obligated to comply with the safety standards set by the Occupational Safety and Health Act (OSHA) as well as other federal, state and local regulations. Safety is a shared responsibility. It is the City's responsibility to provide a working environment free of unreasonable health hazards, to provide training and instruction regarding proper working methods, and to make available special clothing and equipment required to protect employees from risks. It is the responsibility of each employee to report safety hazards and violations immediately, to learn and observe established safety regulations and to use the protective equipment provided.

If any employee observes an unsafe condition caused by faulty equipment or work practices, environmental hazards, inadequate training or information, carelessness, or any other factor, he/she shall report it immediately to a supervisor. Any safety hazard that is not addressed should be reported to the department head and/or Human Resources.

Every work-related injury or illness must be reported to a supervisor immediately, but no later than the beginning of the next work shift.

The supervisor is responsible to see that a First Report of Injury/Illness form is completed and forwarded within two (2) business days to the Human Resources Manager and the City's workers compensation administrator. Such reporting is necessary to comply with reporting requirements of OSHA, to ensure appropriate treatment and payment and to identify accident trends and prevent recurrences. Coverage may be denied for claims that are not reported on a timely basis.

32.00 WORKPLACE VIOLENCE

32.01 POLICY

The City of West Lafayette seeks to provide a work environment free from violence and threats of violence against individuals, groups, or employees, or threats against company property including partner violence that may occur on city property. This policy requires that all individuals on company premises or while representing the City conduct him/herself in a professional manner consistent with good business practices and in absolute conformity with non-violence principles and standards.

32.02 DEFINITION

Workplace violence is defined as a single behavior or series of behaviors which constitute actual or potential assault, battery, harassment, intimidation, threats or similar actions, attempted destruction, or threats to City or personal property; which occur in a City workplace, while using City resources, at a City work location, or while an employee is engaged in City business.

The City strictly prohibits use of violence or threats of violence in the workplace and views such actions very seriously. The possession of weapons in the workplace, threats, threatening or menacing behavior, stalking, or acts of violence against employees, visitors, guests, or other individuals by anyone on City property will not be tolerated. Violations of this policy will lead to disciplinary actions up to and including termination of employment and the involvement of appropriate law enforcement authorities as needed.

Any person who makes substantial threats, exhibits threatening behavior, or engages in violent acts on City premises shall be removed from the property as quickly as safety permits, and may be asked to remain away from City premises pending the outcome of an investigation into the incident. People who commit these acts outside the workplace, but which impact the workplace are also violating this policy and will be dealt with appropriately. The City reserves the right to respond to any actual or perceived acts of violence in a manner it sees fit according to the particular facts and circumstances.

32.03 REPORTING PROCEDURE

Employees are responsible for notifying their supervisor or department head of any threats which they have witnessed, received, or have been told that another person has witnessed or received, including those related to partner violence. Supervisors and/or department heads shall respond promptly by verbally reporting the incident to Human Resources. Even without an actual threat, employees should also report any behavior they have witnessed which they perceived as threatening or violent, when that behavior is job related or might be carried out on a city-controlled site or is connected to city employment. Employees are responsible for making this report regardless of the relationship between the individual who initiated the threat or threatening behavior and the person(s) who were threatened or were the focus of the threatening behavior. If the supervisor or department head is not available, employees should report the threat immediately to Human Resources.

33.00 POSSESSION OF FIREARMS AND WEAPONS

33.01 POLICY

Ensuring a safe work environment and the prevention of workplace violence is of utmost importance to the City of West Lafayette. Weapons inside the workplace pose a potential threat to the safety and security of our employees and to the citizens we serve. The carrying of a firearm of any kind while inside a city facility, inside

a company-owned vehicle, or while conducting city business, on or offsite, is strictly prohibited, and will be subject to discipline, up to and including termination.

33.02 BRING YOUR GUN TO WORK ACT

The "Bring Your Gun to Work" Act, allows appropriately licensed employees to bring firearms and ammunition onto the property of their employers as long as the weapons and ammunition are locked in a glove box or trunk or stored out of plain sight in a locked vehicle. This also applies to employees who may have a concealed to carry permit.

33.03 DEFINITIONS

Firearm -- means a gun, whether loaded or unloaded, that discharges shot or a projectile by means of an explosive, a gas or compressed air.

33.04 REPORTING OBLIGATIONS

Any employee who is aware of a firearm within a city facility or that an employee has a firearm on their possession while engaging in company business off-site, has an obligation to report this information immediately to their supervisor, or Human Resources.

34.00 WORKPLACE BULLYING

34.01 POLICY

The purpose of this policy is to communicate that the City of West Lafayette will not in any instance tolerate bullying behavior. Employees found in violation of this policy will be disciplined, up to and including termination.

34.02 PROHIBITED CONDUCT

The City defines bullying as repeated inappropriate behavior, either direct or indirect, whether verbal, physical, or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment. Such behavior violates the City's belief that all employees be treated with dignity and respect.

As in sexual harassment, it is the effect of the behavior on the individual that is important. The City considers the following types of behavior examples of bullying:

- a. Verbal bullying: Slandering, ridiculing or maligning a person or their family; persistent name calling that is hurtful, insulting or humiliating; using a person as butt of jokes; abusive and offensive remarks.
- b. Physical bullying: Pushing, shoving, kicking, poking, tripping, assault or threat of physical assault, damage to a person's work area or property.
- c. Gesture bullying: Nonverbal threatening gestures; glances that can convey threatening messages.
- d. Exclusion: Socially or physically excluding or disregarding a person in work-related activities.

35.00 WORKERS' COMPENSATION

35.01 POLICY

In accordance with the Indiana Workers' Compensation Act, the City carries worker's compensation insurance on all City employees in order to provide coverage for injuries and illnesses arising out of and in the course of employment. Such insurance shall include coverage for medical benefits and lost wages.

35.02 REPORTING PROCEDURE

All-work related injuries, *no matter how slight*, shall be recorded on the First Report of Employee Injury/Illness form and transmitted to the City's insurance carrier within two (2) business days of the injury or illness. A copy of such form shall be forwarded immediately to the Human Resources Manager for record keeping purposes.

The City has the right to direct treatment of work-related injuries. Initial treatment must be provided by the City's designated facility. In the case of an emergency, the employee should be taken to the nearest urgent care or emergency care facility. An employee who chooses to see his or her own personal physician, or any other

provider, will not be eligible for benefits from the City's health plan or from the City's workers' compensation plan.

The City reserves the right to require an employee involved in an accident at work or during work hours or in a City vehicle to submit to drug and alcohol testing as permitted by law.

36.00 USE OF CITY-OWNED VEHICLES

36.01 POLICY

A. Use of City-owned vehicles is restricted to City employees carrying out the business of the City. Employees must use assigned City vehicles for the purpose(s) authorized and must not permit unauthorized passengers. All other employees are strictly forbidden from using any City vehicles for personal use except for incidental non-business stops, such as lunchtime between business stops.

B. Only employees authorized by the Mayor may use take-home City vehicles. The Board of Public Works and Safety shall approve the Take Home Vehicle Policy effective January 1 of each year in compliance with the Internal Revenue Code, subject to change at the discretion of the Board of Public Works and Safety.

C. Vehicles which are not designated for commuting status shall be kept on City premises during non-business hours and shall not be used for personal purposes.

D. Employees using a City vehicle will be subject to periodic driving record checks by the Bureau of Motor Vehicles at least annually. An employee convicted of a moving violation, an alcohol or drug related offense, or whose license is expired, suspended, or revoked and/or who is unable to obtain required endorsements must notify their department head immediately. The City's property and casualty insurer may determine, based on an employee's driving record, that the employee will no longer be covered under the City's insurance policy. If a non-CDL employee does not meet the City's insurer's standards, he/she may temporarily be placed in a non-driving capacity or may be terminated depending on the employee's position. A CDL driver may be subject to termination if he/she does not meet the City's insurer's standards. If having a driver's license is part of an employee's essential job function, and the employee's driver's license has not been reinstated within thirty (30) days, then the employee is subject to termination.

E. Damages or accidents involving city vehicles and equipment should be reported to the department head or supervisor immediately.

36.02 COMMERCIAL DRIVER'S LICENSE

Employees required to have a Commercial Driver's License (CDL) must comply with all Department of Transportation drug and alcohol testing procedures and the City's controlled substances policy for CDL drivers. Employees are responsible for keeping their CDL current. Loss of a CDL may result in termination of employment if one of the employee's primary job functions is driving a city-owned vehicle. If one of an employee's primary job functions is driving a vehicle that requires a CDL, and the CDL is suspended for a period not to exceed thirty days, an employee will be suspended from employment for the length of the CDL suspension. The employee may use accrued personal leave or vacation, but the remainder of the thirty-day period is unpaid. Loss of a CDL may result in termination of employment if one of the employee's primary job functions is driving a vehicle that requires a CDL and the license suspension is for more than thirty days, or regardless of the period of the suspension, if the CDL is suspended for a reason that constitutes a violation of City policy.

37.00 TRAVEL

City employees may be reimbursed for actual miles traveled in their own vehicles to carry out that employee's official City duties, responsibilities or activities, or to obtain approved training, at a rate per mile as fixed by the Board of Public Works and Safety. Reimbursed mileage shall not include travel to and from the employee's home and the governmental office in which he/she works.

When traveling outside the county on official City business, employees may be reimbursed for meals, lodging and other necessary travel expenses. The claim for reimbursement must be itemized and supported by receipts as required by the State Board of Accounts.

38.00 GRIEVANCE PROCEDURE

38.01 POLICY

The City of West Lafayette strives to provide prompt consideration and equitable resolution of employee grievances. It is the desire of the City of West Lafayette to resolve grievances informally whenever practicable. Both supervisors and employees are expected to make a good faith effort to resolve each situation as it arises.

Terminated employees are not eligible for the grievance procedure unless the grievance falls under EEOC, ADA or FMLA. If you believe that you have been terminated due to harassment and discrimination based on sex (with or without sexual conduct) race, color, religion, national origin, ancestry, age, handicap, disability, sexual orientation or protected activity (such as, opposition to prohibited discrimination or participation in the statutory complaint process) or for exercising a right under the FMLA, please refer to Appendix 2.

38.02 PROCEDURE

A grievance should be relayed by an employee to their immediate supervisor, in writing, within the working hours of the day that the event causing the grievance occurred. The supervisor will report the grievance to the department head and the Human Resources Director and will then attempt to resolve the grievance as soon as possible and will render their decision either orally or in writing to the aggrieved within twenty-four (24) hours.

Appeal to the department head: a grievance not resolved by the supervisor must be presented to the department head.

If the aggrieved employee presents the grievance to the department head, it must be in writing, signed and dated by the aggrieved and presented to the department head within two (2) working days of the decision rendered by the supervisor.

The department head will contact the Human Resources Director and will review the grievance and render their written decision to the aggrieved within three (3) working days.

Appeal to the Board of Public Works and Safety or the Board of Parks and Recreation: A grievance not resolved by the supervisor or department head must be written and submitted to the president of the appropriate board by the aggrieved. Grievances originating from the Clerk's Office shall be appealed to the City Council.

A. The written grievance must be signed and dated by the aggrieved and submitted to the appropriate board within two (2) working days of the decision rendered by the department head. A copy of the written grievance shall be delivered to the Human Resources Director.

B. The appropriate board shall review the grievance and render a written decision to the aggrieved within three (3) working days of the second regularly scheduled meeting of the appropriate board, following the submission of the grievance.

C. When resolution is reached, the supervisor or department head must document the resolution. Copies must be forwarded to all involved parties and the Human Resource Director.

39.00 DRUG-FREE WORKPLACE

The City of West Lafayette is committed to providing a drug-free workplace. In order to maintain the highest level of public confidence, safety and reputation of our working environment, the City will take all reasonable measures to ensure that drugs and alcohol do not jeopardize the safety of our operations or the quality of City services. The manufacture, sale, purchase, distribution, dispensation, possession, or illegal use of drugs or alcohol while on City premises, during working hours, including break and meal periods, while operating a City vehicle or while operating any other

vehicle while on City business at any time is strictly prohibited. It is also a violation of City policy for an employee to report to work under the influence of alcohol or illegal drugs. These actions constitute serious violations of the City policy and can create situations that are unsafe or that substantially interfere with job performance. If the City has a reasonable suspicion that an employee is under the influence of drugs and/or alcohol, the City will require the employee to undergo a drug and/or alcohol test. The City may also require a drug and/or alcohol test if an employee is involved in an accident at work or during work hours or in a City vehicle. Refusal of testing will result in termination of employment. A positive test result will result in disciplinary action up to and including termination, even for the first violation of this policy.

As a condition of employment with the City of West Lafayette, employees shall:

- (i) abide by the terms of the City's Drug Free Workplace Policy; and
- (ii) notify the Human Resources Director or the employee's department head of any criminal drug or alcohol statute conviction or guilty plea for a violation occurring in the workplace, during work hours or while operating or occupying a City vehicle or while operating any other vehicle while on City business no later than five (5) days after the conviction or guilty plea.

The City provides a confidential Employee Assistance Program ("EAP") for employees who desire counseling and/or rehabilitation services. Information regarding the City's EAP is available from the Human Resources Director.

City employees who are required to hold a commercial driver's license ("CDL") because of work they may be required to perform as City employees are subject to additional requirements mandated by the U.S. Department of Transportation. A separate policy addresses these additional requirements and will be provided to employees who hold CDLs.

40.00 DISCIPLINARY ACTION

40.01 POLICY

It shall be the duty of all employees to maintain high standards of cooperation, efficiency, economy and ethics in their work for the City of West Lafayette. The department head and/or supervisor shall organize and direct the work of their units to achieve these objectives.

Behavior that fails to meet the City's established standards of performance or conduct will be addressed promptly. Disciplinary action shall be determined by an employee's supervisors, based upon the totality of the circumstances, and shall be appropriate to the severity, frequency and consequences of the employee behavior. Severe offenses, particularly those that are illegal, unethical or dangerous, may warrant immediate suspension or termination.

40.02 DOCUMENTATION

All disciplinary action, including a verbal warning, shall be documented in writing and entered into the employee's official personnel file maintained by the Human Resources Department. In order to protect the employee's privacy, all written records shall be kept confidential, except as prescribed by law, and shall be accessible only to those in the direct chain of command, Human Resources, or others with a specific legal right to the information.

40.03 PROCEDURE

Whenever an employee's work habits, attitude, production or personal conduct falls below the prescribed standard, the department head or supervisor shall point out the deficiencies within a reasonable time after they are observed and remind the employee of the City's acceptable level of performance. A reasonable time to correct the deficiencies may be provided before disciplinary action is taken, depending on the severity of the deficiency.

Any of the offenses listed below may be sufficiently serious to warrant immediate termination. For these or any other infractions, supervisors and department heads shall administer appropriate discipline, which may include any or all the following: coaching and counseling, verbal warning, written reprimand, probation, suspension, demotion or termination. Some incidents warrant immediate formal disciplinary action.

The below list is illustrative, not exhaustive.

40.04 GROUNDS FOR DISCIPLINARY ACTION (including immediate termination):

- a. Actions which discredit the City of West Lafayette or hinder the function of City government. Examples of this include, but are not limited to: unacceptable work performance, such as failure to follow operational procedures or other misconduct, inefficiency, neglect of duties, incompetence, insubordination, laziness, sleeping on the job or malfeasance;
- b. providing false or misleading information on the employment application or other employment record, including but not limited to time-keeping records;
- c. falsifying City documents or documents that an employee provides to the City;
- d. discourtesy to citizens or persons doing business with the City;
- e. unauthorized possession of firearms, knives, weapons, explosives and other dangerous or hazardous substances during work hours whether on or off City premises;
- f. violation of the City's attendance policy;
- g. reporting to work under the influence of alcohol or other intoxicants, illegal substances or drugs not prescribed by a practicing physician or dentist, or the use, possession, distribution, transfer or trafficking of these substances on the job, job site or during working hours, including when on break, whether on or off City premises or other violation of the City's Drug Free Workplace Policy;
- h. willful, reckless or careless misuse or abuse of City property;
- i. accidents in a city vehicle determined to be attributable to the driver as the direct result of recklessness, negligence, carelessness, or who openly displays a total disregard for the safe operation of the vehicle and its occupants, pleading guilty or no contest to a crime or being convicted of a crime while employed by the City that is reasonably related to City business, that occurs on City premises or that involves a City vehicle, including but not limited to driving under the influence or moving traffic violations, such as reckless driving or speeding while operating a City vehicle or while on City business;
- j. theft or other removal of City property without authorization;
- k. removal of articles of value without authorization of a property owner while performing City services;
- l. unauthorized use of equipment, willful damage of or tampering with equipment, unauthorized modification or alteration of equipment such as removal of safety guards or devices;
- m. verbal or physical assault by an employee on other City employees or citizens, including but not limited to threatening, intimidating, or harassing fellow employees or members of the public or other disorderly conduct that is a hindrance to the function of City services;
- n. verbally or physically refusing to perform assigned or directed work responsibilities;
- o. behavior which disrupts the work of others or which in any way contributes to a disharmonious or hostile work environment;
- p. engaging in or condoning racial, sexual or other harassment in the workplace or other violation of the City's Equal Employment Opportunity policy;
- q. excessive use of telephone, e-mail or Internet for personal reasons or otherwise conducting personal business during work hours;

- r. failure to work safely, including but not limited to failure to wear required personal protective equipment or other violations of the Safety Policy listed in this Personal Manual;
- s. working carelessly or otherwise not following safety procedures that result in personal injury to co-workers or damage to City property;
- t. failure to follow any other policy listed in this Personnel Manual.

The above shall not prohibit immediate formal disciplinary action, including discharge, whenever the interest of the City requires such action. The City's use of different types and levels of discipline does not alter the City's policy of employment at will. The City may terminate an individual's employment, or the individual may terminate their own employment, with or without cause and with or without notice, at any time.

41.00 EMPLOYEE CONFERENCES

Employee conferences shall be conducted and documented on at least an annual basis by the department head. At that time, discussions will focus on job performance and goals. Both the supervisor and the employee shall sign the document reflecting the conference. The signature only verifies the accuracy of the written description of the discussion and does not necessarily indicate agreement with the review. The original document shall be maintained in the Human Resources Department and shall only be viewed by the employee's immediate supervisor, department head and Mayor. If the employee is a Clerk's office employee, then the documentation of the employee conference shall only be viewed by the Clerk.

42.00 SEPARATION

Because City employees are at-will employees, their employment may be terminated at any time by either the City or the employee. Subject to the at-will provision, following are conditions relating to different types of employment separation:

42.01 RESIGNATION OR RETIREMENT

To resign in good standing, any employee should give at least fourteen (14) calendar days prior notice in writing to their supervisor. If an employee fails to give at least fourteen (14) days' notice, he/she will not be entitled to paid accrued vacation or sick leave upon resignation.

42.02 IMPLIED RESIGNATION

An employee who without valid reason fails to report to work or contact their department head for three (3) consecutive working days without authorization shall be considered as having resigned.

42.03 LAY-OFF

Any involuntary separation other than for disciplinary reasons such as a lack of available work and/or budget constraints, shall be considered a lay-off.

A. Factors that may be considered in determining order of layoff include performance history, skill level, length of service and attendance history (excluding leave under the FMLA).

B. Regular employees to be laid off shall be notified in writing by the supervisor at least fourteen (14) calendar days prior to the effective date of lay-off if feasible.

42.04 RESTRUCTURING

An employee's position is eliminated or significantly changed due to a restructuring within the employee's department. If possible, department heads will give at least fourteen (14) calendar days' notice before a position is eliminated. The City will make every effort to place employees affected by a restructuring in other available positions, although the City makes no guarantee a suitable position will be available.

42.05 DISABILITY

An employee is totally and permanently disabled and is unable to perform the essential functions of their job, despite reasonable accommodation. In such cases, an employee may be eligible for

disability compensation through long-term disability insurance or the Indiana Public Retirement System (INPRS).

42.06 TERMINATION

An employee is discharged for failure to meet job requirements, for violation of the City's employment policies or work rules, or for any other lawful reason.

42.07 DEATH

When a regular employee dies, their estate shall be eligible to receive the earned salary and accrued vacation, payment for compensatory time, accrued clothing allowance, life insurance and sick leave due at the next pay period.

42.08 SEPARATION DATE

The official date of separation is always the last day actually worked, and benefits are calculated up to and including that date. If an employee is on leave when a resignation is tendered or an employee is involuntarily terminated, the effective date will be the date the City is notified of the intent to resign or the date of the termination. In no case can employment be extended by using paid or unpaid time off.

Employees will receive their final paycheck(s) via direct deposit into their bank account in accordance with applicable state law. Employee benefits will be affected by employment termination in the following manner.

All accrued, vested benefits that are due and payable at termination will be paid. Some benefits may be continued at the employee's expense if the employee chooses. The employee will be notified in writing regarding benefits that may be continued and of the terms, conditions, and limitations of such continuance.

42.09 EXIT PROCESS

An employee who separates from the City, for whatever reason, will be asked to meet with a representative of the Human Resources Department on or before the last day of employment. The exit interview provides for the uniform treatment of departing employees. It is a vehicle to advise employees of their right of benefits, collect all City property, identify and resolve management problems and obtain data on separations as a basis for analyzing turnover.

If an employee moves after employment is terminated, they should provide the City with a current address so W-2 forms and other pertinent information can be properly and timely delivered.

APPENDIX 1

COMPENSATORY TIME OFF AGREEMENT

Effective April 15, 1986, exempt and non-exempt employees may receive compensatory time off in lieu of monetary overtime compensation in accordance with Section 7(o) of the Fair Labor Standards Act ("FLSA"), and the terms of this Agreement. This Agreement is an express condition of employment. The compensatory time received may be preserved, used or cashed out consistent with §7(o) of the FLSA. This Agreement does not apply to elected officials and, unless compensatory time is authorized by the Mayor in writing, does not apply to department heads and deputy chiefs.

Each department head may set limits on the amount of compensatory time departmental employees can accrue, subject to the following limitations:

Compensatory time off for exempt and non-exempt employees shall be entitled to compensatory time on an hour-for-hour basis for each hour (or portion thereof) worked in excess of 37.5 but less than or equal to 40 in a work week.

Compensatory time off for non-exempt employees required to work beyond forty (40) hours per week, will be earned at the rate of one and one-half (1-1/2) times for each hour (or portion thereof) actually worked over forty (40) hours in an established workweek. Exempt employees will earn compensatory time on an hour-for-hour basis for each hour (or portion thereof) actually worked over forty (40) hours in a workweek. Exempt employees may accumulate up to 40 hours of compensatory time off. Exempt employees may not exceed, nor will they be compensated for additional hours in excess of the 40-hour maximum. Any unused compensatory time exceeding 40 hours by an exempt employee will be forfeited.

Non-exempt employees may accumulate up to 80 hours of compensatory time off. Non-exempt employees will receive monetary compensation at one and one-half (1 ½) times their regular pay rate at the time of payment for any additional overtime hours. A department head or elected official can elect to pay off all or a portion of the accrued compensatory time anytime during the calendar year.

All accrued compensatory time should be used by the end of the year in which it is accrued. An exception may be made for hours accrued in the final quarter of a year, which should be used in the first quarter of the following year. Accrued time that is not used by a non-exempt employee by year end shall be paid unless budget constraints prohibit such payment, in which case it will be carried over to the immediately following year as an exception to the above terms and conditions.

All overtime work that exceeds the employee's regularly scheduled work week must be approved in advance by the employee's supervisor or department head prior to working overtime, except in an emergency. Unauthorized overtime work may lead to disciplinary action, up to and including termination. Holiday, jury duty, and military leaves will be considered hours worked for the computation of compensatory time. However, the maximum hours of work credited per day cannot exceed the hours in an employee's regularly scheduled workday. Other absences, including vacation, sick leave, personal days, bereavement leave, or any other leave of absence shall not be considered hours worked for the computation of compensatory time off. Accrued vacation and sick leave cannot be converted to compensatory time off.

You may use earned compensatory time off with the approval of your supervisor. Your request for compensatory time off will be granted within a reasonable period, unless the requested time off would unduly disrupt operations. You will receive compensation based on your regular pay rate in effect when the compensatory time off is actually taken.

The City of West Lafayette may elect to substitute monetary overtime for earned compensatory time off, either at the time overtime is actually worked or in any later period. Monetary

overtime compensation will be based on your regular pay rate at the time of payment.

The City of West Lafayette may also elect to apply earned compensatory time off to hours you have missed due to personal absence, short workweeks, layoffs, or leaves of absence, including medical leaves if not covered by paid sick days, disability pay, etc., but excluding leave under the Family and Medical Leave Act. In periods of slack work, it may be necessary to schedule time off, to which earned compensatory time off will be applied.

In the event you leave employment for any reason, you will be paid for earned compensatory time off at your final regular rate of pay, or your average rate during the last three years of employment, whichever is higher.

This Agreement is intended only to set forth our understanding concerning your compensatory time and overtime compensation; it does not constitute an employment agreement or an employment contract. Either you or the City of West Lafayette may terminate your employment at any time and for any lawful reason. In such case, final compensation will be provided for all work actually performed on or before the next regular pay date following termination.

The City of West Lafayette will presume your agreement with and understanding of this condition of employment unless you express your unwillingness to accept compensatory time off in lieu of overtime compensation to the Human Resources Director.

APPENDIX 2

WORKPLACE HARASSMENT POLICY AND COMPLAINT PROCEDURE

It is the policy of the City of West Lafayette that the following types of harassment and discrimination against employees and members of the public are prohibited and will not be tolerated: harassment and discrimination based on race/color, religion, sex (including pregnancy), age, disability, family or parental status, marital status, sexual orientation, gender identity and/or expression, national origin/ancestry, genetic information, or past or present military service, or protected activity (such as, opposition to prohibited discrimination or participation in the statutory complaint process). Prohibited harassment and discrimination demean individual dignity and lower the productivity of the City's workforce in serving the public and is in violation of long-standing policy of the City. This policy covers prohibited harassment and discrimination by anyone in the workplace—supervisors, co-workers, and non-employees.

Responsibility

No employee of the City shall engage in harassment or discrimination based on race/color, religion, sex (including pregnancy) age, disability, family or parental status, marital status, sexual orientation, gender identity and/or expression, national origin/ancestry, genetic information, or present military service, or protected activity (such as, opposition to prohibited discrimination or participation in the statutory complaint process). It is the special responsibility of department heads to ensure that this prohibited harassment or discrimination does not occur and to make it known that prohibited harassment and discrimination are not tolerated in their respective departments.

Employees are subject to this policy while on City premises or acting as City representatives on any occasion. This policy forbids prohibited harassment and discrimination of other employees or any members of the public or other persons with whom the employee has contact in the course of employment.

Prohibited Conduct

A. Discrimination and Harassment

Examples of harassment and discrimination based upon race, color, sex, religion, national origin, ancestry, age, handicap, disability, sexual orientation and protected activity (such as, opposition to prohibited discrimination or participation in the statutory complaint process), may include but are not limited to:

1. A pattern of conduct which has the intent or effect of discomforting or humiliating that may include any of the following: (a) comments regarding sex, race, age, color, religion, national origin, ancestry, handicap, disability, sexual orientation and protected activity (such as, opposition to prohibited discrimination or participation in the statutory complaint process), (b) questions, jokes or anecdotes regarding sex, race, age, color, religion, national origin, ancestry, handicap, disability, sexual orientation and protected activity (such as, opposition to prohibited discrimination or participation in the statutory complaint process), (c) stereotyping based upon sex, race, color, religion, national origin, ancestry, age, handicap, disability or sexual orientation, or (d) remarks about sex, race, color, religion, national origin, ancestry, age, handicap, disability, sexual orientation and protected activity (such as, opposition to prohibited discrimination or participation in the statutory complaint process).
2. Displays of materials, such as pictures, posters or cartoons, which have the effect of creating a hostile environment based upon sex, race, color, religion, national origin, ancestry, age, handicap, disability or sexual orientation.
3. Discrimination or unfair treatment because of sex, race, age, color, religion, national origin, ancestry, handicap, disability, sexual orientation and protected activity (such as, opposition to prohibited discrimination or participation in the statutory complaint process) in hiring, firing, pay promotion, benefits, working environment or any other job aspect or employment decision.
4. Sexual harassment is one type of sex discrimination. (See "B".)

The existence of all types of prohibited harassment and discrimination, particularly the creation of a "hostile environment", is judged based upon the perception of a reasonable person, as well as the subjective perception of the victim. As an employee or a supervisor, you should be sensitive to whether any behavior is causing discomfort to another person, whether intended or not.

B. Sexual Harassment

Examples of sexual harassment include but are not limited to, sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

1. Submitting to the conduct is an explicit or implicit condition of employment, promotion or advancement or avoiding adverse action or the receipt of City services; or
2. The conduct has the purpose or effect of substantially interfering with an individual's employment or creating an intimidating or hostile or offensive environment for the individual's employment or receipt of City services.

The following are examples of conduct that may constitute sexual harassment:

- a. Physical assault.
 - b. Direct propositions of a sexual nature.
 - c. Direct or implied threats that submission to sexual advances will be a condition of employment, promotion, advancement or avoiding adverse action.
 - d. Unwelcome attention, which is reasonably perceived to be pressure for sexual activity, such as repeated and unwanted staring or comments with sexual overtones.
 - e. A pattern of conduct which has the intent or effect of discomforting or humiliating that includes any of the following: (1) comments of a sexual nature, (2) sexually explicit statements, questions, jokes or anecdotes, (3) gender stereotyping, (4) remarks about sexual activities, or (5) unnecessary touching, patting, hugging or brushing against a person's body.
 - f. Displays of sexual materials, such as pictures, posters or cartoons, which have the effect of creating a hostile environment.
- Amorous or sexual relationships, sexual activity of any kind and requests for sexual activity of any kind, even those that are allegedly "consenting", between any management employee and any person over whom he/she has any degree of power or authority, are prohibited.

Complaint Procedure

Employees, or members of the public in the case of discrimination in the provision of City services, are strongly encouraged to rely on this policy and the commitment of the City that prohibited harassment and discrimination will not be tolerated.

All employees or members of the public who believe that they have been harassed or discriminated against in any manner because of race, religion, color, sex (including sexual harassment), age, national origin, ancestry, handicap, disability, sexual orientation or protected activity are strongly encouraged to use this procedure. Additionally, all employees who believe that they have been denied an Equal Employment Opportunity (i.e. hiring, firing, lay-off, pay, promotion, benefits, working atmosphere, and any other term, condition, or privilege of employment) in any manner because of race, religion, color, sex (including sexual harassment), age, national origin, ancestry, handicap, disability or sexual orientation are strongly encouraged to use this procedure. Employees or members of the public who believe that they have been discriminated against in violation of the Americans with Disabilities Act and employees who believe their rights under the Family and Medical Leave Act have been interfered with may also use this procedure.

If you are an employee and you believe you have been harassed or discriminated against as described in this policy, you should contact your supervisor as soon as possible. If you believe your supervisor is involved with or engaging in the harassment or discrimination, or if for any other reason you are uncomfortable talking to your

supervisor, you may contact the City's Director of Human Resources, Diane Foster at 775-5108 or your department head.

All supervisors who receive complaints of harassment or discrimination or are otherwise aware of harassment or discrimination must immediately report the complaints of harassment or discrimination to the City's Human Resources Director, Diane Foster.

Complaints of harassment and discrimination may be brought by any employee as outlined above. Employees are encouraged to report harassment before it becomes severe or pervasive. The City is committed to preventing harassment and stopping it before it reaches this level.

Any member of the public may report prohibited harassment or discrimination to a department head or the Mayor.

All complaints by employees and members of the public regarding harassment and discrimination will be investigated promptly, thoroughly and impartially in accordance with the City's procedure. The City will protect the confidentiality of allegations of harassment and discrimination to the extent possible.

Employees or members of the public who make complaints of harassment or discrimination or provide information related to such complaints will be protected against retaliation. The City will not tolerate adverse treatment of employees or members of the public because they report harassment or discrimination or provide information related to such complaints.

Employees who feel that they have been harassed or discriminated against on the basis of race, religion, color, sex (including sexual harassment), age, national origin, ancestry, handicap, disability, or protected activity should also be aware that they have the right to file charges of unlawful harassment or discrimination with the EEOC or Indiana Civil Rights Commission. The deadline for filing a complaint of discrimination with the Indiana Civil Rights Commission is 180 days from the date of unlawful harassment or discrimination, and the deadline for filing a charge of discrimination with the EEOC is in some instances 180 days and in some instances 300 days from the date of unlawful harassment or discrimination, NOT from the date that the complaint to the employer is resolved. You should contact the Indiana Civil Rights Commission and the EEOC to ensure you meet the correct deadline. Although the City intends to fully, promptly and impartially investigate all complaints of harassment and discrimination, employees are not required to wait until the City has completed its investigation to file a charge of discrimination with the EEOC or Indiana Civil Rights Commission.

Employee Discipline

A person directly involved in prohibited harassment or discrimination as described in this policy will be subject to discipline up to and including termination. Any supervisor who knows or reasonably should know that prohibited harassment or discrimination is occurring and fails to act reasonably to halt or prevent the harassment or discrimination will be subject to discipline up to and including termination. All employees, and especially supervisory personnel, have a responsibility to assure that employees and members of the public are not subjected to prohibited harassment or discrimination of any nature by a City employee, including the existence of a "hostile environment."

Making charges of harassment or discrimination that are knowingly or intentionally false may be the basis for discipline.

APPENDIX 3

Permissible Deductions for Salaried Employees

The Fair Labor Standards Act (FLSA) is a federal law which requires that most employees in the United States be paid at least the federal minimum wage for all hours worked and receive overtime pay at time and one-half the regular rate of pay for all hours worked over 40 hours in a workweek.

However, Section 13(a)(1) of the FLSA provides an exemption from both minimum wage and overtime pay for employees employed as bona fide executive, administrative, professional and outside sales employees. Section 13(a)(1) and Section 13(a)(17) also exempt certain computer employees. To qualify for exemption, employees generally must meet certain tests regarding their job duties and be paid on a salary basis at not less than \$684 per week. Job titles do not determine exempt status. In order for an exemption to apply, an employee's specific job duties and salary must meet all the requirements of the Department's regulations.

Salary Basis Requirement

To qualify for exemption, employees generally must be paid at not less than \$684 per week on a salary basis. These salary requirements do not apply to outside sales employees, teachers, and employees practicing law or medicine. Exempt computer employees may be paid at least \$684 on a salary basis or on an hourly basis at a rate not less than \$27.63 an hour. Being paid on a "salary basis" means an employee regularly receives a predetermined amount of compensation each pay period on a weekly, or less frequent, basis. The predetermined amount cannot be reduced because of variations in the quality or quantity of the employee's work. Subject to exceptions listed below, an exempt employee must receive the full salary for any workweek in which the employee performs any work, regardless of the number of days or hours worked. Exempt employees do not need to be paid for any workweek in which they perform no work. If the employer makes deductions from an employee's predetermined salary, i.e., because of the operating requirements of the business, that employee is not paid on a "salary basis." If the employee is ready, willing and able to work, deductions may not be made for time when work is not available.

Circumstances in Which the Employer May Make Deductions from Pay

Deductions from pay are permissible when an exempt employee: is absent from work for one or more full days for personal reasons other than sickness or disability; for absences of one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness; to offset amounts employees receive as jury or witness fees, or for military pay; or, for unpaid disciplinary suspensions of one or more full days imposed in good faith pursuant to the City's disciplinary policies. Also, an employer is not required to pay the full salary in the initial or terminal week of employment; for penalties imposed in good faith for infractions of safety rules of major significance; or, for weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act. In these circumstances, either partial day or full day deductions may be made.

City Policy

It is the City's policy to comply with the salary basis requirements of the FLSA. Therefore, the City prohibits all supervisors and department heads from making any improper deductions from the salaries of exempt employees. The City wants employees to be aware of this policy and that the City does not allow deductions that violate the FLSA.

What to Do If an Improper Deduction Occurs

If you believe that an improper deduction has been made to your salary, you should immediately report this information to the Human Resources Director who shall in turn report it to the Finance Department.

Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be promptly reimbursed for any improper deduction made.

APPENDIX 4

CODE OF ETHICS

Introduction

No Employee, Elected Official or Officer (referred to collectively in this policy as "Employees") shall accept any goods, services, or other thing of monetary value from any Person seeking special considerations or influence as to any action by the City or any of its Agencies, Employees, Elected Officials or Officers in their official capacity. Likewise, no Employee shall accept or be influenced by any family member or friend receiving any goods, services or things of monetary value from anyone for the purpose of rendering special consideration or influence. The employee should make this stance clear to family and friends should the situation arise.

However, nothing in this policy prohibits the receipt of political or other contributions that are lawful and are reported in accordance with Indiana law and/or are accepted by an authorized individual on behalf of the City or an Agency.

- *Elected Official means the City's duly elected Mayor, City Clerk, and Common Council members.*
- *Employee means any individual, other than an Elected Official, who is employed by the City.*
- *Agency means every department, office, Board, commission, committee, or other internal division or group of the City.*

Gifts or Honoraria

Employees shall not accept gifts or honoraria from any entity or individual doing or seeking to do business with the City, even if otherwise acceptable under the introduction of this policy, if they individually, or in total, exceed the value of One Hundred and no/100 dollars (\$100.00) in any calendar year, unless an exception is approved by the Mayor in writing.

- *Gifts or Honoraria* means money or other property that is given to an Employee without reasonable value being provided in exchange. This includes not only "outright" gifts, but an item sold at materially lower-than-market price.
- *Monetary Value* means any money, thing of value, service or economic benefit conferred upon or received by any Employee from any Person (except the City or an Agency in its capacity as the individual's employer) in return for services rendered or to be rendered.

Gifts and honoraria do NOT include the following:

1. Food or drink consumed by an Employee, or a member of their immediate family in connection with official City business or at public ceremonies, at a convention, reception or gathering of other public officials and/or municipal employees;
2. Reasonable travel or other expenses paid or reimbursed as a result of speaking engagements, educational training or personal appearances made by virtue of an Employee's position or duties;
3. An award, plaque, certificate, or similar personalized memento given in recognition of the Employee's public civic, charitable, or professional service;
4. An honorary membership in a service or fraternal organizational presented merely as a courtesy by such organization;
5. The use of a public facility or public property, made available by a governmental agency, for a public purpose;
6. Invitations or tickets to political fundraisers, non-profit events, or governmental events for use by the Employee and their immediate family;
7. Discounts also given to members of a particular class of individuals irrespective of employment with the City of

West Lafayette (e.g., public service discounts, public safety discounts); or

8. Mementos or souvenirs of nominal value received at public ceremonies while conducting official City business; or
9. Door prizes given in connection with a City-approved training, City-sponsored events, or celebrations.

Improper Use of Official Position

No Employee shall use or permit the use of their official position, or funds or property under their official control, direction or custody, for a purpose that is primarily for the private benefit of the Employee, for the private benefit of any family member, partner, friend, or other individual.

However, nothing in this policy shall prohibit the private use of property that is available on equal terms to members of the public generally (e.g., library books or golf courses), the use of property in harmony with City policy in the conduct of official business, the use of vehicles or other equipment by off-duty Employees in compliance with departmental rules, and/or the employment of any Employee.

- The "use-of" or "borrowing-of" or "taking-of" city equipment (or materials and inventory for personal reasons or gain is strictly prohibited. This applies to all Employees regardless of position or appointment.

Nepotism

To comply with the provisions of IC 36-1-20.2, *et seq.* and 36-1-21, *et seq.* and Ordinance 15012 (Amended), the City does not employ individuals related by blood, adoption, or marriage (including step relationships) in any capacity where (1) a relative is supervised by or within the chain of command of another, or (2) one relative indirectly reports to the other or one relative has effective input into decisions concerning the terms and conditions of the other's employment.

This includes a spouse; parent or step-parent; child, step-child, adopted child, or child-in-law; sibling (including step- and half-siblings); niece, nephew, aunt, uncle; or other relations that may adversely affect any employee or the City's interests in any manner.

Conflict of Interest

The City's reputation is a direct reflection of the business conduct of all Employees. To protect and enhance the City's reputation, all Employees must be guided by the highest standard of conduct in their business contacts and relationships. It is important to avoid not only any situation that is an obvious conflict of interest, but also any situation that would constitute a conflict of interest under Indiana Code 35-44-1-3 or that might give the appearance of being a conflict of interest.

If an Employee or a member of the Employee's Immediate Family has a Material Financial Interest in, or derives a profit from an entity, or has a substantial investment or connection to entity, that might benefit from their employment dealings with the City, the Employee must file a Conflict of Interest Disclosure with the City's Clerk for processing.

- *Material Financial Interest* means ownership of a Business Entity.
- *Business Entity* means a sole proprietorship, partnership, unincorporated association, trust, firm, corporation and/or limited liability company.

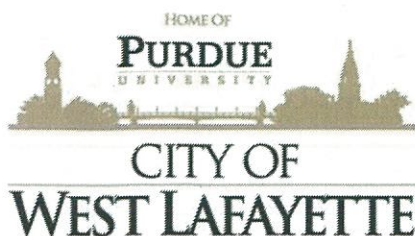
Federal Fund Sub Recipient (per INDOT)

The City of West Lafayette is considered a local government who receives federal transportation funds and it is a federal fund sub recipient of INDOT. Per Indiana Department of Transportation (INDOT) Professional Services Contract Administration Manual (June 2016) sub recipients are prohibited from participating in selection, or in the award or administration of a contract supported

by federal funds if a conflict of interest, real or apparent, would be involved per INDOT, Chapter 2, Code of Ethics which states:

- *Prohibits employees from participating in decision making in circumstances where the employee, officer or agent, employee's partner, family member or an organization that employs or is about to employ any of the listed would have a potential financial interest in the outcome.*
- *Consider the interest of the state and INDOT when contracting for professional services.*
- *Seek to obtain the maximum value for each dollar spent for professional services.*
- *Request removal from any situation in which a personal relationship may affect judgment in selection, administration or performance evaluation activities.*
- *Avoid unnecessary sharing of internal INDOT information, including project or program information that may result in giving a competitive advantage to a select firm or firms.*
- *Those who select, award or administer a contract accept nothing of monetary value from consultants, potential consultants, or parties to sub agreements, which include lunches, dinners, tickets to events, etc. (mementos or souvenirs of nominal value may be accepted).*

Workmans Comp Documents 2021.pdf



HOW TO FILE A WORKERS' COMPENSATION CLAIM

Every employee makes a valuable contribution to the City of West Lafayette, where we strive to provide a safe work environment. Supervisors and employees share responsibility for creating and maintaining a safe workplace. Maintaining a safe workplace requires the continuous cooperation of all employees. Safety must be a primary concern in every aspect of planning and performing all city activities.

ACCIDENT REPORTING

1. Any injury at work – no matter how small – must be reported immediately to your supervisor. Serious conditions often arise from small injuries if they are not cared for at once.

If an injury/illness is deemed an emergency or life threatening, call 911, and make the employee comfortable until the ambulance arrives. Upon arrival to the nearest emergency room, identify the patient as an employee of the City of West Lafayette and the injury/illness as a workers' compensation claim.

If the injury/illness is not deemed an emergency but requires medical attention, provide employee with an Authorization for Treatment form, call Regional Occupational Care Center (ROCC) at 765-446-2450 and transport to 1321 Unity Place, Suite A, Lafayette, Indiana 47905 (Monday – Friday; 8 a.m. – 6 p.m.).

If the injury/illness occurs outside of ROCC's regular business hours, notify your supervisor who will arrange transportation to the nearest Urgent Care facility. If the injury/illness is urgent, transport to the nearest hospital emergency room. Identify the patient as an employee of the City of West Lafayette and the injury/illness as a workers' compensation claim.

Urgent Care location and hours of operation are listed below:

- Unity Immediate Care Center - 1321 Unity Place, Suite B, Lafayette – 8 a.m. – 8 p.m., every day; closed holidays

If an employee can wait until ROCC opens without detriment to themselves, they should do so. If an injury/illness occurred on a previous day and the employee did not wish to seek medical care at the time of the injury, the employee is expected to wait until ROCC's facility opens at 8 a.m.

HOW TO FILE A WORKERS' COMPENSATION CLAIM - Continued

If the injury/illness does not appear to require medical attention, simply complete the First Report of Employee Injury/Illness form.

THE FIRST REPORT OF EMPLOYEE INJURY/ILLNESS FORM MUST BE COMPLETED IMMEDIATELY FOLLOWING THE INJURY/ILLNESS BY THE SUPERVISOR.

NOTE: Employees seeking medical attention without notifying the employer or supervisor of the injury/illness are assuming responsibility for their own medical costs. This may be waived in extenuating circumstances only. It is mandatory that employees go to the City's designated provider if at all possible.

2. The supervisor should complete the First Report of Employee Injury/Illness and report it to ***BITCO either by fax (317-241-8922) or email to indianapolisclaims@bitco.com.*** Human Resources must also be notified immediately and receive the original form within 48 hours.
3. If an injury is determined to be compensable and the claim will potentially involve lost time exceeding 21 days, a wage history statement will be sent to BITCO.
4. The employee must complete a record of hours worked (if any), sick leave, vacation, personal leave, holidays, or time without pay to be charged. The record should also reflect if the employee is working with light duty restrictions, along with the appropriate pay level.
5. Once compensation begins, payments are made every 7 days by BITCO. Checks are sent directly to the employee.

Workers' Compensation is a very important benefit that provides you with the security and protection of continued lost wages and medical reimbursement for all reasonable and related medical expenses.

Safety is everyone's responsibility! If you have an idea for improving workplace safety or have any questions regarding other aspects of workers' compensation, please contact the Human Resources Department.

Updated: March 2018



INDIANA WORKER'S COMPENSATION FIRST REPORT OF EMPLOYEE INJURY, ILLNESS

State Form 34401 (R10 / 1-02)

FOR WORKER'S COMPENSATION BOARD USE ONLY

Jurisdiction	Jurisdiction claim number	Process date
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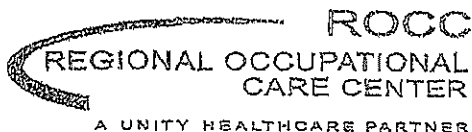
Please return completed form electronically by an approved EDI process.

PLEASE TYPE or PRINT IN INK

NOTE: Your Social Security number is being requested by this state agency in order to pursue its statutory responsibilities. Disclosure is voluntary and you will not be penalized for refusal.

EMPLOYEE INFORMATION									
Social Security number		Date of birth		Sex <input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Unknown		Occupation / Job title		NCCI class code	
Name (last, first, middle)				Marital status <input type="checkbox"/> Unmarried <input type="checkbox"/> Married <input type="checkbox"/> Separated <input type="checkbox"/> Unknown		Date hired		State of hire	
Address (number and street, city, state, ZIP code)						Hrs / Day		Days / Wk	
						Avg Wg / Wk		<input type="checkbox"/> Paid Day of Injury <input type="checkbox"/> Salary Continued	
Telephone number (include area)				Number of dependents		Wage \$		Per <input type="checkbox"/> Hour <input type="checkbox"/> Day <input type="checkbox"/> Week <input type="checkbox"/> Month <input type="checkbox"/> Year <input type="checkbox"/> Other	
EMPLOYER INFORMATION									
Name of employer City of West Lafayette				Employer ID# 35-6001233		SIC code		Insured report number	
Address of employer (number and street, city, state, ZIP code) 222 N. Chauncey Avenue West Lafayette, IN 47906				Location number		Employer's location address (if different)			
				Telephone number (765) 775-5104					
				Carrier / Administrator claim number		OSHA log number		Report purpose code	
Actual location of accident / exposure (if not on employer's premises)									
CARRIER / CLAIMS ADMINISTRATOR INFORMATION									
Name of claims administrator Bituminous Insurance				Carrier federal ID number		Check if appropriate <input type="checkbox"/> Self Insurance			
Address of claims administrator (number and street, city, state, ZIP code) PO Box 42608, Indianapolis, IN 46242				<input checked="" type="checkbox"/> Insurance Carrier <input type="checkbox"/> Third Party Admin.		Policy / Self-insured number WC3662928			
Telephone number (800) 382-9991						Policy period From 1/1/2021 To 12/31/2021			
Name of agent MBAH Insurance				Code number					
OCCURRENCE / TREATMENT INFORMATION									
Date of Inj. / Exp.		Time of occurrence <input type="checkbox"/> AM <input type="checkbox"/> PM <input type="checkbox"/> Cannot be determined		Date employer notified		Type of injury / exposure			Type code
Last work date		Time workday began		Date disability began		Part of body			Part code
RTW date		Date of death		Injury / Exposure occurred on employer's premises? <input type="checkbox"/> Yes <input type="checkbox"/> No		Name of contact			Telephone number
Department or location where accident / exposure occurred						All equipment, materials, or chemicals involved in accident			
Specific activity engaged in during accident / exposure						Work process employee engaged in during accident / exposure			
How injury / exposure occurred. Describe the sequence of events and include any relevant objects or substances.									
									Cause of injury code
Name of physician / health care provider									
Hospital or offsite treatment (name and address)								INITIAL TREATMENT <input type="checkbox"/> No Medical Treatment <input type="checkbox"/> Minor: By Employer <input type="checkbox"/> Minor: Clinic / Hospital <input type="checkbox"/> Emergency Care <input type="checkbox"/> Hospitalized > 24 Hours <input type="checkbox"/> Future Major Medical / Lost Time Anticipated	
Name of witness				Telephone number		Date administrator notified			
Date prepared		Name of preparer		Title		Telephone number			

An employer's failure to report an occupational injury or illness may result in a \$50 fine (IC 22-3-4-13).



☒ ROCC - Regional Occupational
Care Center

1321 Unity Place, Suite A
Lafayette, IN. 47905

P 765.446.2450

F 765.446.1083

Monday-Friday 8:00 - 6:00

☐ UICC - Unity Immediate
Care Center

1321 Unity Place, Suite B
Lafayette, IN. 47905

P 765.446.1362

F 765.446.1007

Monday - Sunday 8:00 - 8:00

AUTHORIZATION FOR TREATMENT

EMPLOYEE NAME: _____ DOB: _____

COMPANY: City of West Lafayette PHONE: (765) 775 _5104

☐ WORK RELATED INJURY

Date of injury: _____ Part of body injured: _____

Post-accident Drug Screen: ☐ YES ☐ NO ☐ DOT ☐ Non-DOT ☐ Breath Alcohol ☐ After Hours DS \$250

☐ BODY FLUID EXPOSURE

Date of exposure: _____ Part of body involved: _____

Details: _____

☐ PHYSICAL EXAM

☐ DOT ☐ Basic ☐ Pre-Employment ☐ Respirator Physical

☐ Respirator Fit w/ OSHA Questionnaire ☐ Other _____

☐ INJECTIONS

☐ Tetanus / Tdap ☐ Hepatitis ☐ MMR ☐ Varicella ☐ TB Screening

☐ Flu Shot ☐ Other _____ ☐ Skin Test ☐ Quantiferon ☐ Chest X-Ray

☐ LABS

☐ Varicella Titer ☐ Hepatitis Titer ☐ MMR Titer ☐ Other _____

☐ DRUG SCREENING

☐ Hair Collection ☐ Nicotine ☐ Breath Alcohol

☐ Urine DOT ☐ Urine 5 Panel ☐ Urine 11 Panel ☐ Other _____

REASON: ☐ Pre-Employment ☐ Random ☐ Post-Accident ☐ Return to Work

☐ Reasonable Suspicion ☐ After Hours DS \$250

I AUTHORIZE THE ABOVE-NAMED EMPLOYEE TO RECEIVE THE
SERVICES MARKED AT ROCC AND/OR UICC.

Contact Person: Monica Wontor Phone: (765) 775 _5104

Signature: Monica Wontor Date: 01/04/2021 - 12/31/2021

Authorization: ☐ Call In (Name of person filling out: _____) ☒ Hand Delivered

BOMB THREAT CHECKLIST.pdf

BOMB THREAT CHECKLIST

DATE: _____ TIME RECEIVED: _____ AM / PM (circle one) TIME CONCLUDED: _____ AM / PM (circle one)

- REMAIN CALM, BE COURTEOUS, LISTEN TO, AND DO NOT INTERRUPT THE CALLER
- GET ATTENTION OF ANOTHER PERSON - GIVE NOTE SAYING "CALL 911"
- IF YOUR PHONE HAS CALLER ID DISPLAY, RECORD NUMBER OF INCOMING CALL _____
- WRITE DOWN EXACT WORDS OF THE CALLER AND THREAT _____
- DON'T HANG UP THE PHONE. LEAVE LINE OPEN
- NOTIFY A SUPERVISOR

TRY TO KEEP THE CALLER ON THE PHONE AND TALKING BY ASKING THE FOLLOWING QUESTIONS:

1. WHEN WILL IT EXPLODE? AT WHAT TIME? _____
2. WHERE IS IT LOCATED? WHAT FLOOR? ROOM? _____
3. WHAT DOES IT LOOK LIKE? _____
4. WHAT KIND OF BOMB IS IT? _____
5. WHAT WILL SET IT OFF? _____
6. WHY ARE YOU DOING THIS? _____
7. WHO ARE YOU? _____
8. ARE YOU AWARE THAT IT COULD KILL OR INJURE INNOCENT PEOPLE IN ADDITION TO THOSE YOU INTEND TO HURT? _____

DESCRIPTION OF CALLER (check all that apply)

Sex: Male _____ Female _____ Unknown _____ Approximate Age _____

Voice	Speech	Language	Behavior	Background Noises
<input type="checkbox"/> Clean	<input type="checkbox"/> Accented	<input type="checkbox"/> Educated	<input type="checkbox"/> Agitated	<input type="checkbox"/> Airport
<input type="checkbox"/> Distorted	<input type="checkbox"/> Deliberate	<input type="checkbox"/> Foreign	<input type="checkbox"/> Angry	<input type="checkbox"/> Animals
<input type="checkbox"/> Loud	<input type="checkbox"/> Distinct	<input type="checkbox"/> Foul	<input type="checkbox"/> Blaming	<input type="checkbox"/> Baby
<input type="checkbox"/> Muffled	<input type="checkbox"/> Fast	<input type="checkbox"/> Intelligent	<input type="checkbox"/> Calm	<input type="checkbox"/> Birds
<input type="checkbox"/> Nasal	<input type="checkbox"/> Hesitant	<input type="checkbox"/> Irrational	<input type="checkbox"/> Fearful	<input type="checkbox"/> General Noise
<input type="checkbox"/> Pitch-High	<input type="checkbox"/> Lisp	<input type="checkbox"/> Rational	<input type="checkbox"/> Laughing	<input type="checkbox"/> Guns Firing
<input type="checkbox"/> Pitch-Med	<input type="checkbox"/> Slow	<input type="checkbox"/> Slang	<input type="checkbox"/> Nervous	<input type="checkbox"/> Gymnasium
<input type="checkbox"/> Pitch-Low	<input type="checkbox"/> Slurred	<input type="checkbox"/> Uneducated	<input type="checkbox"/> Righteous	<input type="checkbox"/> Machinery
<input type="checkbox"/> Pleasant	<input type="checkbox"/> Stuttered	<input type="checkbox"/> Unintelligible	<input type="checkbox"/> Other:	<input type="checkbox"/> Music
<input type="checkbox"/> Raspy	<input type="checkbox"/> If Accented,	<input type="checkbox"/> If Foreign,		<input type="checkbox"/> Party
<input type="checkbox"/> Smooth	Describe:	Describe:		<input type="checkbox"/> Quiet
<input type="checkbox"/> Soft				<input type="checkbox"/> Restaurant
<input type="checkbox"/> Squeaky				<input type="checkbox"/> Talking
<input type="checkbox"/> Unclear				<input type="checkbox"/> Tavern/Bar
<input type="checkbox"/> Other				<input type="checkbox"/> Television
				<input type="checkbox"/> Traffic
				<input type="checkbox"/> Train
				<input type="checkbox"/> Typing
				<input type="checkbox"/> Water/Wind
				<input type="checkbox"/> Other:

Name Of Person Receiving Call: _____
 Phone Number Threat Was Received On: _____
 Name Of Possible Suspect: _____

Sexual-assault-victims-rights-English (1).pdf

WHAT EXPENSES ARE COVERED BY CJI?

For victims of sexual assault, ICJI administers payment for certain costs associated with a forensic medical exam. These costs include (not limited to): a forensic medical exam, mental health counseling, certain diagnostic testing, initial pregnancy and follow-up pregnancy testing, certain laboratory testing for STDs, alcohol, drugs, suturing and care of wounds and other limited outpatient services. The approved costs will be paid by ICJI to the provider, pending certain conditions are met.

Additionally, ICJI may also provide payment for: one follow-up pregnancy test, STD testing up to (30) days following the initial treatment, one syphilis test up to (90) days following the initial visit and mental health treatment up to \$3,000. Services must be provided by a licensed mental health provider.

HOW DO I TRACK THE STATUS OF MY SEXUAL ASSAULT KIT?

In order to track the status of your sexual assault kit, please follow these instructions:

1. Visit the Indiana Sexual Assault Tracking System website at:
sak.cji.in.gov/Public/Home.aspx
2. Select the Sexual Assault Kit tracking module.
3. Enter your sexual assault kit serial number and assigned pin.

Sexual Assault Kit _____

PIN _____



CONTACT US

317.232.1233
www.cji.in.gov/2333.htm

402 W. Washington St., Room W469 | Indianapolis, IN 46204

RIGHTS OF VICTIMS OF SEXUAL ASSAULT

Helping victims of sexual assault better understand their rights.





KNOW YOUR RIGHTS

RIGHTS OF VICTIMS OF SEXUAL ASSAULT

The following rights of victims of sexual assault attach whenever a victim is subject to a forensic medical examination or an interview by a law enforcement officer in relation to injuries, trauma, or an investigation resulting from an alleged sexual assault.

You retain these rights regardless of whether you agree to participate in any civil or criminal proceeding related to the assault, and regardless of whether you consent to a forensic medical examination to collect forensic evidence related to the alleged sexual assault.

You have the right to be informed of your rights as a victim under Indiana law before the commencement of any forensic medical examination or an interview by a law enforcement officer. Those rights include:



You have the right to speak with a victim advocate or victim service provider during any hospital visit for the purpose of receiving a sexual assault examination. If a victim advocate or victim service provider is not available, you have the right to speak with victim's assistance or a social worker. You retain these rights even if you have waived one or more of these rights in a previous examination or interview.



You have the right to be treated with fairness, dignity and respect and free from intimidation, harassment and abuse throughout the criminal justice process.



Your private communications with a victim advocate, victim service provider, victim's assistance, or a social worker are not admissible into evidence for any purpose except with your consent.



You have the right to speak with a victim advocate or victim service provider during the course of the investigation. If a victim advocate or victim service provider is not available, you have the right to speak with victim's assistance or a social worker. You retain these rights even if you have waived one or more of these rights in a previous examination or interview.



You have the right to be provided with a forensic medical exam and additional forensic services without charge. You can ask the person administering your exam whether they have been trained to do so. You have the right to decline any part of the sexual assault examination. You have the right to a shower at the medical facility after the examination.

HOW TO FILE A WC CLAIM 2022 - WorkingWell.pdf



HOW TO FILE A WORKERS' COMPENSATION CLAIM

Every employee makes a valuable contribution to the City of West Lafayette, where we strive to provide a safe work environment. Supervisors and employees share responsibility for creating and maintaining a safe workplace. Maintaining a safe workplace requires the continuous cooperation of all employees. Safety must be a primary concern in every aspect of planning and performing all city activities.

ACCIDENT REPORTING

1. Any injury at work – no matter how small – must be reported immediately to your supervisor. Serious conditions often arise from small injuries if they are not cared for at once.

If an injury/illness is deemed an emergency or life threatening, call 911, and make the employee comfortable until the ambulance arrives. Upon arrival to the nearest emergency room, identify the patient as an employee of the City of West Lafayette and the injury/illness as a workers' compensation claim.

If the injury/illness is not deemed an emergency but requires medical attention, provide employee with an Authorization for Treatment form, call Franciscan Working Well (WorkingWell) at 765-502-4190 and transport to 3218 Daugherty Drive, Suite 140, Lafayette, IN 47909 (Monday-Friday; 7 a.m.- 7 p.m.)

If the injury/illness occurs outside of WorkingWell regular business hours, notify your supervisor who will arrange transportation to the nearest Urgent Care facility. If the injury/illness is urgent, transport to the nearest hospital emergency room. Identify the patient as an employee of the City of West Lafayette and the injury/illness as a workers' compensation claim.

If an employee needs medical care only (no drug screen), after 7 p.m. Monday-Friday or on Saturday or Sunday, and it is not deemed an emergency or life threatening, employees may report to:

- Franciscan Express Care, at 765-463-6262, 909 Sagamore Parkway West, West Lafayette, IN 47906, Sunday-Saturday 8 a.m.- 8 p.m. State that you are a City of West Lafayette employee with a workers' compensation injury for assessment. Following treatment with Express Care, you may need to follow-up with WorkingWell on the next available business day.

HOW TO FILE A WORKERS' COMPENSATION CLAIM - Continued

If an employee can wait until WorkingWell opens without detriment to themselves, they should do so. If an injury/illness occurred on a previous day and the employee did not wish to seek medical care at the time of the injury, the employee is expected to wait until WorkingWell facility opens at 7 a.m.

After hours post-accident/suspicion drug screening - Employees needing after hours post-accident drug screens/suspicion screening will be set up through Human Resources, Diane Foster at 765-426-9524 and additional direction will be provided at that time.

If the injury/illness does not appear to require medical attention, simply complete the First Report of Employee Injury/Illness form.

THE FIRST REPORT OF EMPLOYEE INJURY/ILLNESS FORM MUST BE COMPLETED IMMEDIATELY FOLLOWING THE INJURY/ILLNESS BY THE SUPERVISOR.

NOTE: Employees seeking medical attention without notifying the employer or supervisor of the injury/illness are assuming responsibility for their own medical costs. This may be waived in extenuating circumstances only. It is mandatory that employees go to the City's designated provider if at all possible.

2. The supervisor should complete the First Report of Employee Injury/Illness and report it to **BITCO either by fax (317-241-8922) or email to indianapolisclaims@bitco.com**. Human Resources must also be notified immediately and receive the original form within 48 hours.
3. If an injury is determined to be compensable and the claim will potentially involve lost time exceeding 21 days, a wage history statement will be sent to BITCO.
4. The employee must complete a record of hours worked (if any), sick leave, vacation, personal leave, holidays, or time without pay to be charged. The record should also reflect if the employee is working with light duty restrictions, along with the appropriate pay level.
5. Once compensation begins, payments are made every 7 days by BITCO. Checks are sent directly to the employee.

Workers' Compensation is a very important benefit that provides you with the security and protection of continued lost wages and medical reimbursement for all reasonable and related medical expenses.

Safety is everyone's responsibility! If you have an idea for improving workplace safety or have any questions regarding other aspects of workers' compensation, please contact the Human Resources Department.

Updated: August 2022

MOU Between JDAI and WLPD.pdf

**Tippecanoe County Youth Services
Juvenile Detention Alternatives Initiative
Collaborative Member Memorandum of Understanding
Updated and Approved – 5/31/2022**

This document will serve as a Memorandum of Understanding (“MOU”) between collaborative agencies as well as institutionalized documentation of Tippecanoe County’s policies and procedures within the juvenile justice system. Each collaborative member agrees to adhere to the terms of this MOU.

PURPOSE OF THE JDAI COLLABORATIVE

Tippecanoe County, as a part of the Juvenile Detention Alternatives Initiative (“JDAI”), will endeavor to continuously improve the juvenile justice system with an individualized and community consensus approach driven by Tippecanoe County’s purpose of probation statement, purpose of detention statement, and adherence to JDAI’s eight core strategies.

PURPOSE OF PROBATION STATEMENT

The Juvenile Probation Department strives for a safer community by working in collaboration with our juvenile justice partners and the community. Relationships and practices promote public safety through the use of evidence-based practices that reduce recidivism and promote positive change in the youth and families in Tippecanoe County.

PURPOSE OF DETENTION STATEMENT

Stakeholders in Tippecanoe County believe the needs of youth involved in the juvenile justice system must be balanced against the interests of public safety. Supervision of such youth ranges from less restrictive community-based services to the most restrictive, secure detention. Pre-adjudication secure detention is only permissible for the length of time necessary to ensure community safety and/or to ensure appearance in Court.

JDAI Eight Core Strategies

1. Collaboration
2. Data Driven Decisions
3. Objective Admissions
4. Alternatives to Detention
5. Expedited Case Processing
6. Special Detention Cases
7. Diversity, Equity and Inclusion
8. Conditions of Confinement

COLLABORATIVE MEMBER RESPONSIBILITIES

- Member agencies are expected to have representation at a minimum of four (4) meetings annually.
- Individual collaborative members are encouraged to join workgroups relevant to their community role and areas of expertise.
- Member agencies will routinely update contact and representative information with the JDAI Coordinator to ensure delivery of necessary information and meeting announcements.
- Collaborative members are encouraged to recruit additional members.

- Collaborative agencies will ensure their Agency Leader executes this MOU within thirty (30) days of joining the collaborative ensuring accountability in meeting collaborative member responsibilities.

JDAI COLLABORATIVE RESPONSIBILITIES

- Each new member agency will receive orientation from the JDAI Coordinator at least two (2) weeks prior to attending his/her first meeting. If a new collaborative member unexpectedly attends a meeting without receiving orientation, the JDAI Coordinator will ensure orientation occurs after such meeting.
- The agenda and a reminder of meeting dates, times, and locations will be distributed by the JDAI Coordinator at least two (2) weeks prior to each meeting.
- Minutes will be maintained for each meeting by the JDAI Coordinator and will be distributed to members within thirty (30) days of the meeting.
- The JDAI Coordinator will ensure data is compiled and presentable to allow for effective and timely decision-making.
- The JDAI Coordinator will ensure adherence to Tippecanoe County JDAI Collaborative Policies & Procedures (attached) as well as JDAI's Eight Core Strategies.

VOTING ELIGIBILITY

To ensure fair and equitable representation, each collaborative agency will have voting privileges after orientation and attendance at one (1) meeting. Voting is limited to one (1) collaborative member per voting eligible collaborative agency. Items requiring votes will be presented by the JDAI Coordinator who will also conduct a roll call of eligible voters who may respond by indicating, "Yay, Nay, or Abstain."

AGREEMENT TO THE MOU

This MOU becomes effective when executed by the below parties. Proposed modifications to this MOU must be submitted in writing at least ten (10) days in advance of a scheduled collaborative meeting at which such proposed modifications will be discussed and action taken thereon at such meeting. Intent to terminate participation as a collaborative agency under this MOU must be submitted in writing at least thirty (30) days in advance of termination at which time notice will be provided to all other collaborative members.

Respectfully signed this 25 day of August, 2022.

Kory Harris
Printed Name

[Signature]
Signature

West Lafayette Police
Agency Represented

Judge Faith Graham

Rebecca Humphrey

Printed Name and Signature of Juvenile Judge and JDAI Coordinator

Tippecanoe County JDAI Collaborative Policies & Procedures

1. Collaboration: Member agencies will collaborate effectively for the following: to guide the reform process; to analyze problems and recommend solutions; to design changes to policies, practices and programs; and to monitor impact. The collaborative will commit to joint planning, shared responsibility, and mutual accountability. The collaborative will include system and community representatives who have the authority to make decisions on behalf of their agencies or groups. To ensure continued momentum and accountability, the collaborative should be chaired or co-chaired by influential leaders committed to juvenile justice. The collaborative should be formally empowered to address detention reform, including racial and ethnic disparities. At a minimum, the collaborative will include decision makers from the following agencies: Prosecutor's Office; Public Defender's Office; Juvenile Probation; Tippecanoe County Youth Services; the Juvenile Intake and Assessment Center ("JIAC"); Lafayette Police Department; West Lafayette Police Department; Purdue University Police Department; Tippecanoe County Sheriff's Office; Department of Child Services; Lafayette School Corporation; Tippecanoe School Corporation; West Lafayette Community School Corporation; Tippecanoe County Board of Commissioners; community-based agencies; mental health providers; faith-based organizations; a youth and/or parent formerly involved in the system; and the Juvenile Judge. At least annually, the JDAI Coordinator will ask "Who else is missing from the table?" in order to identify absent stakeholders.

2. Data Driven Decisions: Objective data analysis informs the development and oversight of policy, practice, and programs. Data on detention population, utilization, and operations will be collected to provide information about who is detained, reasons for detention, and the impact of policies and practices. As a results-based initiative, Tippecanoe County JDAI will establish and track performance measures. All data will be disaggregated by race/ethnicity, gender and other factors as identified to monitor disparities in the system. Data will be trended to include the current year and all past years of JDAI participation as available. Data will be evaluated as follows:

- A detention report will be emailed daily through QUEST to the JDAI Coordinator, Deputy Chief Probation Officer, Prosecutor, Public Defender, QUEST Administration, Juvenile Judge, JDAI State Strategist and other interested members of the JDAI Local and State Collaborative as requested.
- The JDAI Coordinator will submit all monthly performance measures reports, quarterly reports, and annual reports to the State JDAI Team and other funders as requested.
- A Data Workgroup will convene at least quarterly to answer fundamental questions, using the QRS, regarding which youth are being detained and why. The JDAI Coordinator will distribute an agenda and reminder e-mail at least two (2) weeks prior to each Data Workgroup meeting and minutes will be maintained and distributed to within thirty (30) days of the meeting. The Data Workgroup will determine data items to be reviewed by the collaborative.
- The Youth Leadership Team (which will also serve as the Alternatives to Detention Workgroup and Objective Admissions Workgroup) will review DRAI override/underwrite decisions at least once per month and provide any recommendations for modification to the collaborative. The entire collaborative will review DRAI override/underwrite decision data at least annually.
- On at least an annual basis (usually no later than February), the collaborative will review year end and trended data related to secure detention admissions, average length of

Tippecanoe County JDAI Collaborative Policies & Procedures

stay, and juvenile arrest data all disaggregated by race/ethnicity, geography, gender, and offense. Additional data reviews will occur annually and encompass effectiveness of Alternatives to Detention, Case Processing Reviews, and other data as deemed relevant. An Annual Results Report will be compiled and shared with the collaborative.

3. Objective Admissions: Whether youth are at risk for failure to appear and/or are a danger to the community is paramount to pre-adjudication detention admissions. Tippecanoe County JDAI uses the Detention Risk Assessment Instrument ("DRAI") to objectively screen all pre-adjudicated youth at the time of arrest or intake to determine which youth can be safely supervised in the community. Pre-adjudicated youth will be released, released with conditions, or detained in accordance with the DRAI. An Intake Officer has limited discretion to override or underwrite the DRAI score based on articulable case-specific circumstances. The benchmark for total overrides is no more than ten percent (10%) annually with a maximum of no more than fifteen percent (15%) set as the benchmark for overrides into detention. Pre-adjudicated youth alleged to have committed certain offenses listed in category 1a of the DRAI not subject to override will be designated "AutoHold" with a score of 40 for purposes of data collection. To avoid unnecessary detention of low risk or moderate risk youth, emergency custody orders will require youth to be transported to the JIAC for processing and placement consistent with the DRAI. The Objective Admissions Workgroup's monthly review of DRAI overrides will be documented and distributed to the collaborative for discussion as requested.

4. Alternatives to Detention (ATD): New or enhanced non-secure alternatives to detention will be used to increase options available for pre-adjudicated youth considering the need for supervision, structure, and accountability. Detention alternative programming will target only those youth who would otherwise be detained and will include Home Detention as well as Emergency Shelter Care. The programming continuum will respond to the legal status of youth as well as the needs, cultures, and traditions of youth as much as possible. Programming will be grounded in an understanding of adolescent development and linked to level of risk for failure to appear and/or re-arrest to ensure safe supervision in the community. Programming responses to compliance failures will include increased contacts and case management activities as an alternative to automatic termination of programming. The Youth Leadership Team will serve as the ATD Workgroup and will meet at least twice annually to discuss current ATD as well as development of other ATD and to review exit surveys and outcomes for youth. A report from the ATD Workgroup will be provided to the collaborative.

5. Expedited Case Processing: Continuous effort will be made to streamline case processing, to reduce unnecessary delay for youth, and to accelerate the movement of delinquency cases through the court system by implementing case processing reforms designed to increase the availability of non-secure programming, ensure timely and appropriate interventions, and reduce length of stay in detention. Members commit to the following procedures:

- At the time of arrest, all youth will be transported by local law enforcement agencies to the JIAC.
- The DRAI will be completed on all youth arrested or referred to the JIAC and the decision to release, release with conditions, or detain will be immediately made.
- If an Informal Adjustment ("IA") is offered, the youth will have the opportunity, but is not required, to meet with a Public Defender or Private Attorney before deciding to

Tippecanoe County JDAI Collaborative Policies & Procedures

accept or reject the IA. A Public Defender will be available on the first and third Thursdays of each month from 8:00AM – 9:00AM to provide legal counsel for youth considering an IA. The IA must be accepted within thirty (30) days of the offer.

- If a youth is released, the Preliminary Inquiry and Investigation ("PI") will be submitted to the Deputy Prosecutor within seven (7) business days of completion.
- Upon receipt of a PI, the Deputy Prosecutor will determine whether to request filing of a formal petition in a timely manner and the Court will review such requests in a timely manner.
- If a youth is detained or released with conditions, an Emergency Detention Hearing will be held within forty-eight (48) business hours as required by statute as designated by the court docket, typically on Tuesdays, Thursdays, and Fridays.
- A Finding Alternatives for Safety and Treatment (FAST) Panel will be held prior to pre-determined Emergency Hearings and will include the youth, family, Juvenile Probation Officer, Public Defender, Department of Child Services, Deputy Prosecutor, and a mental health representative. The purpose of a FAST Panel is to gather information and determine whether there is a consensus regarding what conditions, if any, may be suitable for community supervision rather than detention considering both the best interests of the youth as well as public safety.
- If a youth is not represented by private counsel, the Public Defender will attend all hearings (except Review/Permanency Hearings) and will consult with youth prior to each hearing.
- If probable cause is established at the Emergency Detention Hearing, the Deputy Prosecutor will file charges within seven (7) days as required by statute and an Initial Hearing will be scheduled by the Court.
- If a youth is detained and denies the allegation(s), a Fact Finding Hearing will be scheduled within twenty (20) days as required by statute, unless the time limit is properly waived.
- If a youth is not detained and denies the allegation(s), a Fact Finding Hearing will be scheduled in no less than sixty (60) days (within forty-five (45) days if the court docket permits).
- Probation Officers may recommend determinate terms.
- Future court dates will be scheduled at each hearing to confirm appropriate notice to youth and families.
- Review Hearings will generally be held within one hundred twenty (120) days post disposition to monitor the cases progress. Review Hearings for low risk youth may be conducted administratively upon recommendation of the Probation Officer and as determined by the Court.
- A structured Sanctions Grid will be utilized by each Probation Officer within two (2) weeks of learning of a violation of probation. Probation Officers will utilize a range of sanctions and incentives on a graduated basis in accordance with Probation's Incentive and Sanctions Policy.
- The Youth Leadership Team will review responses to probation violations and provide an annual report to the collaborative. The Youth Leadership Team will review overrides on the Sanctions Grid quarterly and recommend modifications.
- The collaborative will review case processing data on an annual basis.

Tippecanoe County JDAI Collaborative Policies & Procedures

6. Special Detention Cases: Data analysis has revealed that some circumstances commonly result in increased pre-adjudication detention due to a lack of alternatives most often related to mental health issues and violations of probation. The collaborative will review data at least once annually to determine any action items needed in these areas.

7. Diversity, Equity and Inclusion: Specific strategies to eliminate implicit bias and to ensure a level playing field for all youth will be encouraged by committed leaders in this area together with ongoing policy analysis and targeted programming. The collaborative commits to disaggregating data for review and engaging the community to address diversity, equity and inclusion topics through implicit bias training.

8. Conditions of Confinement: Youth are entitled to safe and humane conditions within juvenile detention facilities. Each detained youth will complete an exit survey regarding the facility environment immediately after returning from detention. Exit surveys will be available at the JIAC and/or at the Public Defender's table. The intake Supervisor will review all completed exit surveys and compile data for the collaborative. If any exit survey response indicates a concerning incident, the Intake Supervisor and/or the JDAI Coordinator will take immediate action as necessary and report such incident to the Youth Leadership Team and the Juvenile Judge. All exit survey data will be made available in a summary report to the Youth Leadership Team and the Juvenile Judge. The Conditions of Confinement Workgroup will utilize the JDAI facility assessment process to ensure facilities are adhering to evolving standards of practice in the field by touring at least one (1) detention facility admitting Tippecanoe County youth each quarter and providing a report on such facility to the collaborative.

**2022 MOU WLCSC AND WLPD
School Resource Officers.pdf**

AGREEMENT

Made as of the 8th day of August 2022, by and between the West Lafayette Community School Corporation, hereinafter referred to as "School Corporation" and the West Lafayette Police Department, hereinafter referred to as "Police Department".

Whereas, the School Corporation wishes to hire off duty police officers to provide security services for the School Corporation; and

Whereas, the Police Department is willing to provide off duty police officers to provide said services;

Now therefore, in consideration of the premises and the covenants and agreements herein, the parties agree as follows:

Purpose. The School Corporation wishes to hire off duty police officers of the Police Department to provide security services to protect the persons and property of students, staff and visitors to the schools of the School Corporation; and the Police Department is Willing to provide off duty police officers to provide said services for the School Corporation. All such police & officers are known as School Resource Officers hereinafter referred to as "SRO".

Service Provided. The Police Department shall make every effort to provide one SRO each day that school is in session to provide security services for the School Corporation. Said services shall principally be performed at the West Lafayette Junior/Senior High School, hereinafter referred to as "Junior/Senior High School," but may be provided all other schools of the School Corporation.

SROs shall also provide security services for student activities and events at the request of the Junior/Senior High School Principal. The Junior/Senior High School Principal shall make a request for SROs to the Police Department not less than one week prior to the date of the event. The number of SROs needed and the times they are needed shall be designated at the time of the request .

Duties. The SROs shall generally perform the security duties set forth in the SRO Duties attached hereto as Exhibit A and made a part hereof. Said duties may be amended from time to time to meet the security needs of the School Corporation. SROs shall perform the duties pursuant to the SRO Guidelines attached hereto as Exhibit B and made a part hereof. SROs shall inform the Junior/Senior High School Principal or other school administrator if it becomes necessary for him or her to leave the school campus during the time he or she is providing security service.

School Resource Officer Duties

General duties throughout the school day:

- Monitor hallways, locker areas, and cafeteria whenever students are present. • Serve as a quiet deterrent for students who may choose to use or possess illegal drugs or alcohol before coming to school or while at school. Assist school administrators in assessing situations with students suspected of being under the influence of illegal drugs or alcohol at school or on school property.
- Serve as a deterrent to student fights/conflicts and respond appropriately to conflicts that do occur.
- Assist administrators with monitoring school activity using security cameras. • Assist administrators with school attendance enforcement and student truancy. • Monitor for valid school-issued permits for staff and student parking on school property.
- Conduct security checks of all entry points to the building.
- Check loading docks and fire lanes for safety hazards and illegal parking. Serve in a resource capacity with teacher in-service training concerning issues of school safety.
- Serve in a resource capacity with classroom teachers whose curriculum involves topics relating to the duties of a police officer including substance abuse, safety, law, and careers in law enforcement.
- Performs other duties as assigned by the School Principal.

**West Lafayette School Corporation
School Resource Officer
Guidelines**

Introduction

The information contained herein should serve as guidelines for an SRO in performing security duties for the West Lafayette Community School Corporation. These guidelines are to be followed whenever practicable. However, it is understood that in the event of extreme or emergency conditions, it may be necessary to deviate from these guidelines to protect the safety and well-being of the students, staff and visitors of the School Corporation.

Purpose

The intent of the School Corporation is to work in partnership with the West Lafayette Police Department ("Police Department") to provide security for the schools of the School Corporation. The purpose of security is to make the schools safe and provide protection to students, staff, and visitors.

SROs shall perform the duties set forth on Exhibit A attached hereto. Said duties shall principally be provided on the Junior/Senior High School campus.

Duty Hours

On all regular school days, SROs shall be provided security services from 7:30 a.m. to 3:30 p.m. When school is delayed due to weather conditions SROs shall provide security services from 9:30 a.m. to 3:30 p.m. For planning purposes, the Police Department and each SRO shall be provided a school calendar. The Police Department and the SRO scheduled to be on duty shall be advised of weather or other emergency communications.

Lunch/Break Schedule

Each SRO shall have 30 minutes off duty during each shift worked. This time can be taken in two 15-minute periods or one 30-minute period. The off-duty time can only be taken between 9:00 a.m. to 10:45a.m. and 1:30 p.m. to 2:30 p.m. SROs should not leave school property during off duty periods without the prior consent of the Junior/Senior High School Principal.

Accountability

The SRO shall work under the supervision of the School Principal. At the beginning of each shift the SRO who will provide security services shall sign in at the Junior/Senior High School office. At the end of each shift the SRO shall sign out at said office. The School Principal shall determine the locations, times at such locations, and any specific security duties that the Security Officer shall perform.

SROs shall inform the Junior/Senior High School Principal or other school administrator if it becomes necessary for him or her to leave the School campus during a shift.

If an SRO assigned to provide security services is unable to work or will arrive late, he or she shall inform the School Corporation by leaving a message at one of the Junior/Senior High School's Administrative Offices at least one-half hour before the beginning of the shift. The SRO shall try to arrange for a replacement if he or she is not able to work a scheduled shift. The telephone number for the Junior and Senior High is 746-0400.

Security Office

The School Corporation will designate space for a security office at the Junior/Senior High School. A computer will be available in that office to allow SROs to monitor the video security system as necessary or appropriate.

Communication

The SRO shall carry and use school communication compatible radios at all times while providing security services.

School Resources Officer Identification

SROs shall wear protective equipment and utility belts with apparel provided by the School Corporation at all times while performing security services.

Respect

It is a policy of the School Corporation that employees act professionally and with respect when interacting with students, other staff, visitors and members of the community. Accordingly, under no circumstances should SROs make any racial or sexual remarks, use profanity, or behave disrespectfully toward any student, staff, visitor or person in the community while performing security services for the School Corporation.

Privacy/Confidentiality

SROs are subject to the privacy of information/confidentiality policies established by the Board of School Trustees of the School Corporation. A copy of Board Policy No. 8350 is attached hereto. SROs will provide no information concerning any student, staff member, or incident to any unauthorized person or representative of the media. All questions regarding any student, staff member or incident shall be directed to the Junior/Senior High School Principal for a response.

Student Questioning

SROs questioning of students should be conducted with the building principal or his or her designee present. A school administrator will try to contact a parent or guardian before questioning, if possible. Questioning of students should be conducted in a professional manner. A written report shall be made as soon as possible after the questioning is complete. The report shall be given to the building principal.

Searches

SROs are considered contract employees of the School Corporation and as such are authorized to act at the direction of the building principal or his or her designee in assisting with searches of students and their property. All searches, including those of

student lockers, other personal property, or person, must be conducted in the presence of the building principal or his or her designee. Strip searches are prohibited.

Use of Force

SROs may use reasonable force to re-establish order in the event of a disturbance. The definition of reasonable force shall follow the Police Department guidelines. The use of physical force shall only be used to restrain persons for the safety of others. Use of force will be the last option used to re-establish order.

Display/Use of Weapon

While on duty as SROs a police department issued or approved weapon will be worn visibly and in an open fashion. The officer will prominently display the police department shield/badge around the neck or on the belt to which the weapon is affixed. A weapon may be used only as a last resort and when the life of a student, staff, visitors or the SRO is threatened.

Incident Review

SROs shall prepare a report of all incidents occurring during their shifts. If the incident involves one or more students, the report shall be made on the school disciplinary form or incident report. All such reports shall be given to the building principal.

If force is used during an incident, the SRO shall prepare a report including a written statement from each person involved in the incident. The Police Department shall review the incident and make a determination as to whether reasonable force was used. A final report shall be made by the Police Department to the building principal and the SRO.

Daily Log

The SRO shall maintain a record of pertinent information that occurred during their shift for further review for other officers.

Time Sheets

The off-duty Police Officer providing security services shall be considered employees of the School Corporation. The work week shall begin at 12:00 a.m. on Sunday and end at 11:59 p.m. on Saturday. The SRO shall follow the payroll procedures as provided at the Principal's office and submit their timesheets accordingly.

Questions and Concerns

The School Corporation invites your questions; concerns or suggestions relating to your employment or the security and safety in the schools. They should be directed to Eric Ulrich, Assistant Principal of the Junior/Senior High School, or in his absence to any of the other administrators listed below.



Book	Policy Manual
Section	8000 Operations
Title	CONFIDENTIALITY
Code	po8350
Status	Active
Adopted	August 5, 2019

8350 - CONFIDENTIALITY

It is the policy of the School Board that when the Corporation receives in trust from a public agency information identified as confidential (whether such information is confidential by the Indiana Code, Common Law, Privilege Case Law or Federal Law), the Board will maintain the confidentiality of said information as required by the law.

This policy applies only to identified confidential information received from a public agency. However, under the Family Educational Rights and Privacy Act, anything that is made part of the student's records will be sent to a receiving School Corporation with notice to the parent.

In order to prohibit the unauthorized disclosure of information identified as confidential by the sending public agency, the Board may seek to obtain court protection by:

- A. denying requests for release of such information absent subpoena or court order;
- B. pursuing motions to quash or protective orders to prohibit unauthorized disclosure.

When possible, the Superintendent's office will attempt to notify the sending public agency of the request for release of such information prior to complying with the request.

© Neola 2002

Legal	20 U.S.C., Section 1232g 34 C.F.R. 99
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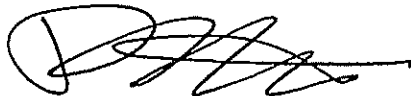
Coordination of Services. The Chief of Police of the WL Police Department or his or her designee shall coordinate the SROs who shall provide security services for the School Corporation. The Police Department shall provide the Junior/Senior High School Principal with the names and dates of the off-duty police officers who provide security services to the School Corporation by 8:00 a.m. on Friday for the following week. Each SRO who will provide security services for the School Corporation shall be given a copy of the SRO Duties and SRO Guidelines attached hereto as Exhibits A and B respectively.

The SRO shall work under the supervision of the School Principal or his or her designee. The School Principal or his or her designee shall determine the locations, times at such locations, and any specific security duties that the SRO shall perform. At the beginning of each shift the SRO, who will provide security services, shall sign-in at the Junior/Senior High School office. At the end of each shift the SRO shall sign out at the Junior/Senior High School. For planning purposes the Police Department and each SRO shall be provided a school calendar. The Police Department and the SRO scheduled to be on duty shall be advised of weather or other emergency communications.

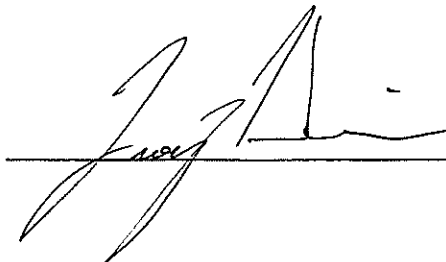
If an SRO assigned to provide security services is unable to work or will arrive late, he or she shall inform the School Corporation by leaving a message at one of the Junior/Senior High School's Administrative Offices at least one-half hour before the beginning of his or her shift. The SRO shall try to arrange for a replacement if he or she is not able to work a scheduled shift.

Payment. SROs shall be paid \$31.98 per hour. The SROs shall be paid by the School Corporation on the fifth and twentieth of each month. Paychecks will be directly deposited into the bank account provided.

WEST LAFAYETTE COMMUNITY SCHOOL CORPORATION



WEST LAFAYETTE POLICE DEPARTMENT



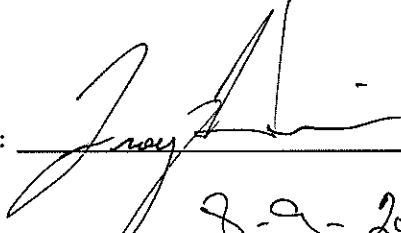
Chain of Command - WLCSC

Ron Shriner, Principal	765.746.0400, ext 4614
Dan Walbaum, Associate Principal	765.746.0400, ext 4615
Eric Ulrich, Assistant Principal	765.746.0400, ext 4627
Shelby Johnson, Assistant Principal/Special Ed Director	765.746.0400, ext 4609
Joel Strode, Athletic Director	765.746.0435

Other Contact Personnel - WLCSC

School Nurse (JSHS)	765.746.0400, ext 4603
Dr. Shawn Greiner, Superintendent	765.746.1602
Anna Roth, Assistant Superintendent	765.746.1602

I have received and reviewed a copy of Guidelines for the School Resource Officer.

Name: 

Date: 8-9-2022

**State Form 54750 Request
for Driving Ability Review.pdf**



REQUEST FOR DRIVING ABILITY REVIEW

State Form 54750 (7-11)
BUREAU OF MOTOR VEHICLES

**BUREAU OF MOTOR VEHICLES
CREDENTIAL PROGRAMS**
100 North Senate Avenue, Room N402
Indianapolis, IN 46204

INSTRUCTIONS: 1. Complete in blue or black ink.
2. Completed form must be submitted to the address above Attn: Medical Review Clerk.

Name of Driver (last, first, middle initial)		Telephone Number ()		
Address (number and street)	City	State	ZIP Code	County
Date of Birth (mm/dd/yyyy)	Driver's License Number		Date of License Expiration (mm/dd/yyyy)	

I am requesting a driving ability review for the above named driver for the following reason:

I swear or affirm that the information I have entered on this form is correct. I understand that making a false statement may constitute the crime of perjury.

Signature of Requester	Printed Name	Date (mm/dd/yyyy)	
Address (number and street)	City	State	ZIP Code
Affiliation <input type="checkbox"/> Law Enforcement: Badge Number _____ <input type="checkbox"/> Prosecutor <input type="checkbox"/> BMV/C Personnel <input type="checkbox"/> Medical/General Power of Attorney <input type="checkbox"/> Rehabilitation/Medical Center <input type="checkbox"/> Physician <input type="checkbox"/> Court Appointed Guardian/Custodian <input type="checkbox"/> Other: _____			

2023 Jurisdictional MOU Between WLPD and PUPD.pdf

MEMORANDUM OF UNDERSTANDING-Detailed

A Memorandum of Understanding has been entered by and between the City of West Lafayette, Indiana and Purdue University, a public university with its main campus in West Lafayette, Indiana.

The City of West Lafayette and Purdue University have a long-standing practice of cooperating together. This includes a connection with the operations of their police and fire departments to create an environment that is beneficial to their mutual interests and to the safety and security of their citizens, residents and businesses.

Through annexation the West Lafayette Police and West Lafayette Fire Departments have obtained primary jurisdiction for providing police and fire protection services in areas of growth in the SW section of the city, adjacent to the Purdue University Campus and Airport. Many of the properties and/or facilities located in this area are owned or occupied by Purdue, Purdue Research Foundation, or organizations affiliated with Purdue.

West Lafayette Police and West Lafayette Fire Departments will provide services to all Purdue Research Foundation owned properties and all privately owned properties within this area, unless otherwise noted. Purdue Police and Fire Departments will provide police, fire and EMS coverage for Purdue facilities within this response area, unless otherwise noted.

Regarding Police Service:

- West Lafayette Police shall assume primary responsibility and jurisdiction for the portions of Mitch Daniels Blvd. described. The Mitch Daniels Blvd. being the area formally known as State Street between Grant Street and US 231. West Lafayette Police shall assume primary responsibility of Mitch Daniels Blvd. between Grant Street and Marsteller Street and between the east side of Airport Road and McCormick Rd. to US 231. Purdue Police will assume primary responsibility for the area of Mitch Daniels Blvd. between Marsteller Street and the east side of Airport Rd.
- West Lafayette Police shall assume primary responsibility for providing police service on McCormick Road from Mitch Daniels Blvd. north through Lindberg Road, including the Sugar Hill subdivision. West Lafayette Police will assume the responsibility to handle investigations at all intersections along McCormick Road.
- West Lafayette Police shall assume primary responsibility for providing police service on Airport Road from US 231 to Mitch Daniels Blvd.

- West Lafayette Police shall assume primary responsibility for providing police service on Cherry Lane from Northwestern Avenue to the intersection US 231.
- West Lafayette Police shall assume primary responsibility for providing police service on the US 231 corridor from S. River Rd north to US 52. West Lafayette Police shall be responsible for all intersections along US 231 between S. River Rd to US 52, as well as SR26W west of US 231 to the railroad tracks (jurisdictional boundary).
- West Lafayette Police Department shall maintain primary responsibility and jurisdiction for the intersection of South River Road and US 231, as well as South River Road from the intersection of South River Road at US 231 to State St. (to include the intersection of Ahlers Drive and South River Road).
- The Purdue Police Department will maintain primary responsibility within the West Lafayette City jurisdiction known as the Island, this includes First St., Second St., Third St., Fourth St., Fifth St., Sixth St., University, Waldron and Russell Streets.
- The Purdue Police Department will maintain primary responsibility for the area of Stadium Avenue between the west side of Northwestern Avenue and east side of McCormick Road. West Lafayette Police will be the responsible agency to investigate incidents at the intersection of Northwestern and Stadium.
- The Purdue Police Department will maintain primary responsibility for response for all areas of West Lafayette east of Airport Rd in the Discovery Park District. West Lafayette Parking Control will maintain parking enforcement on West Lafayette City streets and non-Purdue University Trustee owned businesses within the Discovery Park District.
- The West Lafayette Police Department will assume primary responsibility for events that occur on the roadway of Newman Rd between SR 26 up to and to include the intersection with N Sharon Chapel Road.
- The West Lafayette Police Department will assume primary responsibility for events that occur on the N Sharon Chapel Roadway south of the intersection with Newman Road.
- The Purdue Police Department will maintain primary responsibility for response to the Purdue West Shopping Plaza.

This Letter of Agreement supplements the Mutual Aid Agreement, Memorandum of Understanding as well as a new jurisdictional map attached to this letter. All will remain in force until terminated in writing by either party.

West Lafayette Civilian Personnel Manual 2022.pdf



Personnel Manual

For Civilian Employees

EFFECTIVE: APRIL 1, 2022



West Lafayette Personnel Manual

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1.00 PURPOSE AND AUTHORITY FOR PERSONNEL POLICIES AND PROCEDURES

1.01 POLICY

This personnel manual has been established to provide a uniform approach to the implementation and administration of the personnel policies of the City of West Lafayette. Every employee is considered a valued member of the City of West Lafayette and is encouraged and expected to read and comply with the contents of this document. It is the City's belief that when consistent personnel policies are communicated and understood, employees have a better opportunity to achieve job satisfaction. **THIS PERSONNEL MANUAL IS NOT A CONTRACT BETWEEN THE CITY AND ITS EMPLOYEES OR A GUARANTEE OF EMPLOYMENT FOR ANY FIXED PERIOD OF TIME. THE CITY REMAINS FREE AT ALL TIMES TO CHANGE WAGES AND ALL OTHER WORKING CONDITIONS, EXCEPT AS OTHERWISE PROVIDED BY LAW OR CONTRACT, WITHOUT CONSULTATION OR AGREEMENT WITH THE EMPLOYEE AND CONTINUES TO HAVE THE POWER TO TERMINATE ANYONE WITH OR WITHOUT GOOD CAUSE.**

All employees governed by the personnel manual are "at-will" employees. This personnel manual supersedes and replaces all previous personnel manuals

1.02 GENERAL PROVISIONS

- A. This Personnel Manual governs all City civilian employees. Sworn Firefighters with the West Lafayette Fire Department and Sworn Police Officers with the West Lafayette Police Department are covered by separate standard operating procedures and/or guidelines. This policy supersedes and replaces any previous version of any City personnel manual and shall be effective beginning April 1, 2022.
- B. This Personnel Manual, the West Lafayette Fire Department Standard Operating Guidelines and the West Lafayette Police Department Standard Operating Procedures Manual shall be provided to the Human Resources Director.
- C. Policies and procedures found to be in violation of federal law, state statute, or city ordinance shall be declared null and void without effect on other policies and procedures.

2.00 DEFINITIONS

Department Head or Director – An employee who is appointed by the Mayor to the position of Building Commissioner, City Controller, Public Works Director, City Engineer, Chief and Deputy Chief of the Fire Department, Chief and Deputy Chief of the Police Department, Parks Superintendent, Street Commissioner, Utility Director, or who is appointed director of the department of Development and Human Resources.

Active Paid Status - An employee is in active paid status when they are drawing earned compensation for employment, or is on paid sick leave, paid personal time, a paid holiday, paid vacation, or using compensatory time.

Board - Refers to the West Lafayette Board of Public Works and Safety or the West Lafayette Board of Parks and Recreation.

City - Refers to the City of West Lafayette, Indiana.

Equal Employment Officer - Refers to Mayor's designee who oversees the City's E.E.O. compliance.

Introductory Period - An employee is in an introductory period for a minimum of 90 calendar days from the start of their employment. This introductory period may be extended in individual cases with the consent of the Department Head and the Human Resources Director. During the introductory period, a newly appointed employee is required to demonstrate satisfactory performance of

the duties of the position. Your status as an at-will employee does not change either during or after this period.

Regular Full-Time - Includes all employees who are regularly scheduled to work at least thirty (30) and up to forty (40) hours per calendar week, and who maintain employment on a year-round basis. Regular full-time employees are entitled to benefits associated with full-time employment.

Regular Part-Time - Includes all employees who are regularly scheduled to work between twenty (20) and thirty (30) hours per calendar week, and who maintain employment on a year-round basis. Regular part-time employees are entitled to accrued leave benefits on a *pro rata* basis according to their regularly scheduled work week. Regular part-time employees are not eligible for City benefits but may elect to participate in certain qualified voluntary benefits.

Seasonal - Includes all employees whose employment schedule is for a specific seasonal period as determined by a department. Seasonal employees are exempt from overtime and are not eligible for any benefit programs.

Temporary - Includes all employees whose employment schedule is generally short-term, intermittent, or who work less than 20 hours per calendar week on average. Temporary employees are not eligible for any benefit programs. Temporary employment placements are subject to review and change, including termination, at the discretion of the Department Head and the Human Resources Director.

Variable Hour - Includes all employees with variable or uncertain hours who are expected to work less than 30 hours per calendar week on average. Human Resources will evaluate the terms of variable hour employees using the Affordable Care Act's (ACA) look-back measurement method to determine benefits eligibility.

Independent Contractor - An individual who independently contracts to provide services to the City, is not a City employee. Independent contractors are not eligible for any benefit programs. An independent contractor's compensation is determined by the terms of his/her contract with the City.

Special Employees - Includes those employees who occupy job positions which may, from time-to-time, be created as a result of grants or supplemental assistance, grants-in-aid or other such funding. Special employees are not eligible for any benefit programs.

3.00 EQUAL EMPLOYMENT OPPORTUNITY AND AMERICANS WITH DISABILITIES ACT

3.01 EQUAL EMPLOYMENT OPPORTUNITY POLICY

The City of West Lafayette is an equal opportunity employer who prohibits discrimination and harassment of any kind. The City is committed to the principle of equal employment opportunity for all employees and to providing employees with a work environment free of discrimination and harassment. All employment decisions are based on business needs, job requirements and individual qualifications, without regard to race, color, creed, religion, ancestry, national origin, sex, disability, age, familial status, status with regard to public assistance, sexual orientation, gender identity, gender expression, and veteran status, in order to provide equal employment opportunity to all employees and applicants for employment in accordance with state and federal law. (See Appendix 2 for comprehensive policy against harassment and discrimination and complaint procedure.)

All City contractors and their employees, subcontractors and agents shall comply with all existing and future laws prohibiting discrimination against any employee or any applicant for employment or for subcontract work in the performance of any project for the City.

3.02 AMERICANS WITH DISABILITIES ACT POLICY

It is the policy of the City of West Lafayette not to exclude qualified individuals with disabilities from participation in or benefiting from the services, programs, or activities of the municipality.

In compliance with the Americans with Disabilities Act (ADA) of the Rehabilitation Act of 1973, the City of West Lafayette is committed to removing barriers that prevent employees with disabilities, who are otherwise qualified, from enjoying the same employment opportunities that are available to those without disabilities. The City of West Lafayette will not discriminate against any qualified employee or applicant with regard to any term or condition of employment because of such individual's physical or mental disability or perceived disability so long as the employee can perform the essential functions of the job, with or without reasonable accommodation. Consistent with this policy of nondiscrimination, the City will provide reasonable accommodations to a qualified individual with a disability, as defined by the ADA, who has made the City aware of their disability, provided that such accommodation does not constitute an undue hardship on the City. This includes making reasonable accommodation to allow individuals with disabilities to participate in the application and hiring process. Employees or applicants with a disability who believe they need a reasonable accommodation should contact their interviewer, immediate supervisor, a department head, or the Human Resources Director. It is the responsibility of an employee who becomes disabled and requires reasonable accommodation to contact their immediate supervisor, a department head, or the Human Resources Director and request reasonable accommodation. A family member, friend, health professional, or other representative may also request a reasonable accommodation on behalf of the disabled employee. The City encourages individuals with disabilities within the meaning of the ADA to come forward and request reasonable accommodation.

4.00 RECRUITING AND SELECTION

The City of West Lafayette is an equal opportunity employer and is committed to selecting and placing the best qualified individuals in open positions consistent with its dedication to equal employment opportunity. If a vacancy occurs in a department, the department head will contact the Human Resources Department to initiate the recruiting and selection process.

4.01 JOB POSTINGS/INTERNAL PLACEMENT

The City recognizes that the development and growth of its employees is critical to the success of the City and it encourages upward mobility by promotion and reassignment of qualified employees to new or vacant positions. When appropriate to do so, the City will post available job opportunities within each department as a means of supporting this purpose. When a vacancy occurs, first consideration shall be given to current employees who are in good standing based on their current performance review and who possess the knowledge, skills and abilities necessary to fill the vacant position. The City is under no obligation to wait a specified period of time before seeking external applicants.

Qualified employees who have been employed a minimum of one year will be interviewed and given consideration, however, there is no guarantee that a qualified internal applicant will be selected to fill a position. Hiring supervisors are under no obligation to interview internal applicants who do not meet the minimum qualifications for the vacancy. Employees must advise their current supervisor of their interest in a posted position. Supervisors shall not retaliate against an employee who applies for a position in another department. An employee selected for a position through the internal placement process may be retained in their former position until a replacement is obtained, or satisfactory arrangements are made with their present department.

Civilian employees who are transferred between departments will maintain their seniority for accrued leave benefits. The head of the department into which the employee is transferring shall have the discretion of requesting that any unused accrued vacation and/or

unused accrued compensatory time be paid to the employee before starting in their new position.

Indiana law reflects existing federal law which prohibits retirements in which a non-civilian member has a formal or informal agreement with an employer to become re-employed in a position after retirement. Members are also required to have a bona fide separation of service in order to be entitled to a benefit from a tax-qualified pension plan such as INPRS. The State mandated separation of employment must be satisfied before starting work as a civilian employee. Non-civilian employees (sworn Fire and Police personnel) who have terminated employment with the City who are re-hired in a civilian position will be entitled to the twenty (20) day maximum vacation allotment. This vacation allotment is prorated during the first calendar year of employment. The re-hired employee will be subject to the normal waiting periods for all other accrued leave and for their health and welfare benefits as for any new employee.

4.02 APPLICATION

All applicants, including internal candidates, will be required to complete the City's standard application form which is available on the City's website. A resume may be used as addendum to the application to provide the information specified in the job notice. The City reserves the right to decline an applicant or to discipline or terminate an employee who has provided false, misleading, erroneous or deceptive information verbally or on an application, resume, or other written materials, or who has omitted information during the hiring process.

4.03 SELECTION

Department heads shall be responsible, after consultation with Human Resources, for choosing the best qualified applicants for openings in their respective departments. Final hiring approval must come from the Board of Public Works and Safety or the Board of Parks and Recreation. This section does not apply to Elected or Appointed Officials.

4.04 NEPOTISM

The City recognizes that members of the same family may desire to pursue similar careers. The City must be sensitive, however, to the potential for favoritism in employment decisions and to the necessity of maintaining professional work relationships. The City's hiring, transfer and promotion processes are therefore subject to the following restrictions:

- A. In no event will any department head employ a relative in their department.
- B. The Parks and Recreation Department will not hire relatives of the Mayor, Clerk, Board of Parks and Recreation or members of the Common Council.
- C. Relatives are prohibited from being employed in positions that result in one being in the direct line of supervision of the other.
- D. In the event of a marriage between employees that results in a violation of the direct reporting prohibition, one of the affected employees must transfer or terminate employment with the City. The City cannot guarantee employment for such individuals.
- E. For purpose of this policy, "relatives" are defined as spouse, child, father, mother, brother, sister, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, stepfather, stepmother, stepson, stepdaughter, niece, nephew, grandparent, uncle, aunt, or first cousin.

A family member shall not automatically be disqualified from employment with the City, but the decision to hire ANY family member of a current employee must be jointly approved by Human Resources and the relevant department head(s).

(Also refer to Nepotism statement in Appendix 4 - CODE OF ETHICS.)

4.05 SECURITY AND BACKGROUND SCREENING

The City is committed to protecting the security and safety of employees and its citizens as well as safeguarding the assets and resources of the City. Background checks serve as an important part of the employment selection process and are required prior to hiring all full-time, part-time, seasonal, temporary, variable, intern, and volunteer employees regardless of the duration of employment.

The background check may include, but is not limited to: criminal history screening (may include county, state-by-state, and national criminal databases), verification of social security number, prior work verification, certification of academic credentials, credit history, motor vehicle history, drug testing, and other testing deemed relevant based on the nature and duties of the position being sought.

All information obtained through the background check process, including criminal history, is highly confidential and access to such information is limited to those individuals who have a need to know.

Unless otherwise provided by law, having a criminal conviction or poor credit history does not necessarily preclude employment. The nature of the offense and its relevance to the applicant's suitability for the particular position, in particular, whether the individual's employment by the City poses an unacceptable risk, is considered on a case-by-case basis. Human Resources, in consultation with the hiring supervisor, shall evaluate the applicant's suitability for the position and make the final employment determination.

4.06 NEW EMPLOYEE PROCEDURE

Upon acceptance of a job offer, the new employee shall meet with Human Resources on or near their first day of employment, or by appointment to complete all appropriate new hire forms, review personnel policies and benefits, and set-up and/or train on appropriate information technology. As a condition of employment, every new employee must complete the Immigration and Naturalization Form I-9, with supporting documents within three business days of the date of employment. The City participates in E-Verify and will provide the Social Security Administration and, if necessary, the Department of Homeland Security, with information from the Form I-9 to confirm work authorization. The new employee shall also complete payroll, tax, and insurance forms. The City utilizes the Indiana Department of Labor's Youth Employment System (YES) to track and report minor-employee information under the age of 18.

Each department head or supervisor should plan a departmental orientation for the new employees in the department. Departmental orientation will cover all facets of the position that are unique to the department and, therefore, not covered by the general orientation session.

5.00 ATTENDANCE POLICY

Each employee is crucial to the successful completion of the City's daily business. Punctuality and regular attendance are essential functions of each employee's job with the City. Any tardiness or absence causes problems for fellow employees and supervisors. When an employee is absent, others must perform their work.

Employees are expected to report to work as scheduled, on time and prepared to start work. Employees also are expected to remain at work for their entire work schedule, except for break periods or when required to leave on authorized City business. Late arrival, early departure, and leaving City premises during work hours without permission of the employee's supervisor or department head while not on City business are grounds for discipline up to and including termination. For shift employees, the employee shall not leave their post until replaced by the employee for the next shift or until the supervisor relieves him/her.

In the event of an absence or tardiness, employees must provide their supervisor with an honest reason or explanation. Documentation of the reason may be required. Employees also must inform their supervisor of the expected duration of any absence. Absent extenuating circumstances, an employee must

contact their supervisor in advance of their regular starting time on any day on which the employee is scheduled to work and will not report to work or will be tardy. This policy applies for each day of an employee's absence. An employee who does not inform their supervisor of their absence from work in advance, without proper explanation or giving a false reason for absence or tardiness are all grounds for disciplinary action up to and including termination. Excessive absenteeism and excessive tardiness may be grounds for discipline up to and including termination of employment. Generally, any unpaid absence not protected by law (e.g., FMLA) will be considered excessive. Each situation of excessive absenteeism or tardiness will be evaluated on a case-by-case basis. Any employee who, without valid reason, fails to report to work without notification to their supervisor for a period of three days or more will be considered to have terminated the employment relationship.

6.00 HOURS OF WORK

6.01 WORKDAY, WEEK AND PAYROLL WEEK

The Common Council, the Board of Public Works and Safety (for the Wastewater Treatment Utility) or the Board of Parks and Recreation as appropriate, will set the regularly scheduled work hours in compliance with the FLSA. The designated hours of work for each department will be established by the department head with approval from the Mayor. The Clerk can designate the hours of work for the Clerk's staff. Generally speaking, these hours of work will be from 8:00 a.m. to 4:30 p.m. Monday through Friday. Certain offices may need to observe earlier opening hours and later closing hours in order to better serve the public. The payroll week shall be the calendar week beginning Saturday and ending Friday. The payroll period shall consist of two (2) consecutive weeks, with adjustments as needed. A Patrol Dispatcher's payroll week shall be the calendar week beginning Saturday at 12:00 p.m. and ending Saturday at 11:59 a.m.

6.02 BREAK PERIODS

Employees are entitled to receive two paid 15-minute breaks during each workday, one during each half of the employee's shift. These breaks are to be taken at a time not disrupting to departmental work activity as judged by the supervisor. Breaks cannot be combined, used to extend a lunch break, arrive to work late, or to leave work early. A break not taken is forfeited.

Employees working a regularly scheduled twelve (12) hour shift shall receive one additional 15-minute rest break to be taken during the last four (4) hours of the shift.

6.03 NURSING MOTHERS

The City provides support to employees if you are a breastfeeding mother who wishes to take a break during your workday in order to express milk when separated from your infant child(ren). Nursing mothers at City Hall shall be provided access to a private room for expressing breast milk and to cold storage for the milk. Employees working outside of City Hall should contact Human Resources to make arrangements for expressing breast milk at their work location. The frequency of breaks needed to express breast milk as well as the duration of each break may vary. If the employee's department regularly allows breaks during the day, the time spent expressing milk shall run concurrently with the break and not in addition to the break. Any additional time required to express milk shall be taken on the lunch break, which is unpaid.

6.04 OVERTIME AND COMPENSATORY TIME

When operating requirements or other needs cannot be met during regular working hours, employees will be scheduled to work additional hours. When possible, advance notification of these mandatory assignments will be provided. All overtime work must receive prior authorization from the supervisor. Compensatory time may be given as a substitute for overtime pay for exempt and non-exempt employees. Exempt and non-exempt employees who are

subject to receiving compensatory time will follow the "Compensatory Time Off Agreement" attached as Appendix 1.

Non-exempt employees that are not subject to the Compensatory Time Off Agreement shall receive monetary overtime compensation at a rate of one and one-half (1-1/2) times their regular rate of pay for each hour actually worked over forty (40) hours per workweek. Any exempt employee subject to receiving compensatory time who is required to work additional hours beyond the regularly scheduled workweek, up to forty (40) hours per week, will receive compensatory time on an hour-for-hour basis. The Department in which an exempt employee works may elect to pay straight time for hours worked beyond the regularly scheduled workweek, up to and above forty (40) hours per week.

Holiday, jury duty, and military leaves are considered hours worked for the computation of overtime pay. However, the maximum hours of work credited per day cannot exceed the hours in an employee's regularly scheduled workday. Other absences, including vacation, sick leave, personal days, compensatory time, bereavement leave, or any other leave of absence will not be considered hours worked for the computation of overtime pay. (See Compensatory Time Off Agreement attached as Appendix 1.)

Patrol Dispatchers will be compensated at one and one-half (1-1/2) times for any day they are required to work on their regularly scheduled day off.

6.05 MANDATORY CALL-BACK

Non-exempt employees who maintain their availability to come back to work to perform emergency or needed procedures during off-duty hours at the request of a supervisor or department head will be compensated for a minimum of two (2) hours at the regular rate of pay or for the actual time worked at one and one-half times their regular rate of pay, whichever is greater, regardless of the hours actually worked in the work week. Failure to report for duty within a reasonable time, not to exceed one hour, after being called into work by a supervisor or department head will be grounds for disciplinary action. Failure to inform the supervisor or department head of any change in phone number or address will be grounds for disciplinary action.

This mandatory call-back policy does not apply to those whose work schedule has changed temporarily due to work requirements, such as snow removal, nor to staff assigned to on-call duty. Additionally, this policy does not apply to those who are provided with a take home vehicle.

6.06 ON-CALL

An employee may be required by the department head or supervisor to be available on a stand-by basis, outside scheduled working hours, to respond immediately to a call back to work as required for reasons of operational necessity. This time does not restrict their freedom to conduct personal business and is not required to remain at work or home and is free to engage in personal matters, with the understanding that they must be available by phone or pager. An employee who is on call is required to carry a cell phone, or other immediate contact device. Failure to answer a call or respond within a reasonable time, not to exceed one hour, after being called into work, will be grounds for disciplinary action. Failure to inform the supervisor or department head of any change in phone number(s) and address will be grounds for disciplinary action.

6.07 SPECIAL DUTY PAY

Certain civilian employees of the West Lafayette Police Department are subject to special duty pay for hours worked in connection with Purdue University athletic events. Special duty pay is guaranteed at the rate of one and one-half (1-1/2) times their regular rate of pay regardless of hours worked in the same pay period.

7.00 PAYROLL

Employees are paid bi-weekly (every other Friday), or 26 pays per year. There are months during the year where there are three pay dates; the third pay date in these two months will not include insurance premium deductions. They will, however, include other deductions such as all mandatory federal, state and local taxes; social security deductions; the employee's portion of retirement contributions; and other voluntary benefit deductions. (See Appendix 3 for Permissible Deductions for Salaried Employees.)

To view your payroll stub, log onto Employee Self Service (ESS), and click on Pay/Tax Information.

8.00 RECORD KEEPING

Accurate recording of time worked is the employee's responsibility. Federal and state laws require the City to keep an accurate record of time worked in order to calculate your pay and benefits. Time worked is defined as time actually spent on the job performing assigned duties. The Controller shall prescribe the method of recording time worked and leave time for all departments.

It is the responsibility of each employee to use the prescribed method of recording their work hours and leave on a biweekly basis and to obtain the approval of their time worked and leave from the department head or their designee. Altering, falsifying, tampering with, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

Employees cannot be required to arrive early, stay late or use their unpaid mealtime to perform work-related activities without being compensated for the additional time. An early start or late departure must be specifically requested and authorized, in advance, by the employee's supervisor (except in an emergency situation). Employees who choose to arrive early or stay late for personal reasons shall be compensated only for the hours actually worked.

When documenting time worked, the start and end time should round to the nearest half of an hour. Count time from one to fourteen minutes down to the nearest half-hour and time from fifteen to twenty-nine minutes up to the closest half-hour. For example, round 8:09 a.m. to 8:00 a.m. and round 4:20 p.m. to 4:30 p.m.

8.01 DIRECT DEPOSIT

All employees are expected to participate in the City's mandatory direct deposit program. To initiate the direct deposit authorization to a primary and/or secondary financial institution, employees are required to complete information online through Employee Self Service (ESS). It is the responsibility of the employee to maintain current account information.

8.02 TIME CLOCKS

All employees who use a time clock or other time recording device must clock in at the beginning of their shift and out at the end of their shift. Employees are strictly forbidden to clock other employees in or out. Such actions will be treated as falsification of City records and may result in discharge. Failure to clock in or out may result in disciplinary action.

9.00 EMERGENCY CLOSINGS

The Mayor will determine if emergency conditions exist to close City Hall and/or other departments within the City. Emergencies include, but are not limited to, inclement weather conditions, equipment failure, fire or other forced evacuations.

In the event of an emergency closing, some operations must continue to provide services. Department heads shall predetermine and designate the mandatory/essential operations that will remain open and designate the emergency employees to staff these operations. (e.g. maintenance personnel may be deemed as essential for the on-going operation of a department whereby administrative/clerical personnel may be deemed non-essential to the operation of a department during a closing at the discretion of the department head and depending upon the emergency). Employees who are designated mandatory/essential will remain at

work and will be paid their regular rate of pay up through forty (40) hours worked per work week. All non-essential employees will be released and will receive regular pay for all normally scheduled hours not worked due to the emergency closing. Non-essential employees who either choose or are required to remain at work in order to complete a task, will be compensated the same as employees who were released.

Employees who are not scheduled to work on the day(s) of a declared weather emergency will not receive an additional paid benefit day. To clarify, when an employee is absent on previously approved paid time off, or leave without pay, or when the closing occurs on a day when the employee's regular schedule does not require them to work, the employee is not entitled to additional benefit time as a result of the closing.

Employees who do not report for work due to inclement weather conditions when City Hall and/or their Department is open and City services are available to the public, will be required to use a personal day, vacation leave, or compensatory time.

10.00 APPEARANCE/APPROPRIATE ATTIRE

The City expects all employees to exercise appropriate judgment with regard to personal appearance, dress and grooming to be most effective in the performance of workplace duties. The City recognizes that personal appearance is an important element of self-expression and strives not to control or dictate appropriate employee appearance, specifically with regard to jewelry or tattoos worn as a matter of personal choice.

In keeping with this approach, the City allows reasonable self-expression through personal appearance, unless it conflicts with an employee's ability to perform their position effectively or with their specific work environment, or it is regarded as offensive or harassing toward co-workers or the public.

The City permits employees to wear jewelry or to display tattoos at the workplace within the following guidelines. Factors that management will consider determining whether jewelry or tattoos may pose a conflict with the employee's job or work environment include:

1. Personal safety of self or others, or damage to company property.
2. Productivity or performance expectations.
3. Offensiveness to co-workers, customers, vendors or others in the workplace based on racial, sexual, religious, ethnic, or other characteristics or attributes of a sensitive or legally protected nature.
4. Corporate or societal norms.
5. Customer complaints.

If it is determined that an employee's jewelry or tattoos may present such a conflict, the employee will be encouraged to identify appropriate options, such as removal of excess or offensive jewelry, covering of tattoos, transfer to an alternative position, or other reasonable means to resolve the conflict.

An environment of mutual cooperation, respect, and fair and consistent treatment for all employees is the City's goal. Nonetheless, the City is legally responsible for ensuring that no employees are subject to harassment or a hostile work environment. As an initial step toward resolution of any complaint or offense under this policy, supervisors and managers will be responsible for explaining the policy and answering employee questions. If an agreeable solution cannot be reached at that stage, the Human Resources Director will follow company procedures to determine the appropriate action.

The City requires employees to always appear for work in attire that is "professional" and suitable for the work setting. This may vary from one department to another depending on the nature of the work, exposure to the general public, customers, and the extent to which the employee works outdoors.

Personal appearance and hygiene play an important role in projecting a professional image in the community and to the citizens

we serve. An employee's appearance should always reflect what is appropriate for the job, work setting, and personal safety.

Employees should use good judgment and common sense when dressing for work. Unacceptable attire includes but is not limited to sweatpants, leggings or workout attire (leggings may be worn under a dress or skirt of an acceptable length); blouses, shirts or sun dresses with thin straps, low necklines, halter or sheer material, or clothing that is excessively revealing, distracting or provocative; t-shirts with foul or obscene words or graphics; clothing that is torn.

If there is doubt as to whether a piece of clothing is appropriate, do not wear it in the workplace. An employee observed wearing unacceptable attire may be sent home to change with a dock in pay.

11.00 ACCESS TO PUBLIC RECORDS

The City is a public agency and all of its records, with certain exceptions, are public records. In general, the public is entitled to access, inspect and copy any of our public records as provided and subject to Indiana Code 5-14-1.5. If you receive a request for public records access or have any questions about public records, you should contact the City Clerk's office.

12.00 DISCLOSURE OF CONFIDENTIAL INFORMATION

In the course of performing their jobs, City employees may be exposed to a variety of information regarding City business and individual members of the public as they interact with City government. Employees are expected to protect the security of confidential information, but to respect and accommodate the public's right to public information. If in doubt regarding the disclosure of specific information, employees should ask their supervisors or department heads for assistance in determining whether information should be released *before* disclosing. All requests for records pursuant to Indiana's Access to Public Records Act shall be handled as prescribed in the Access to Public Records policy.

13.00 OUTSIDE EMPLOYMENT

Any employee who is also employed by an entity other than the City, is responsible for notifying their supervisor of this outside employment. Employees may not hold any other employment or engage in any personal business, including as an independent contractor, that would create an actual or potential conflict of interest. If outside work would involve products, services, or customers like those of the City, this could create a conflict of interest. Any conflict or potential conflict (such as the outside employer is subject to City regulation or enforcement or is a City vendor) should be discussed with the department head, Human Resources and/or the Mayor as appropriate, who will determine whether a conflict exists. If it is determined that a conflict exists between the employment with the City and outside employment, the employee will be required to choose which employment to maintain and which to discontinue. If the employee does not choose within two weeks of the decision that a conflict exists, the employee will be terminated from their position with the City. Record of an employee's outside employment and the resolution of any conflict or potential conflict shall be maintained in the employee's file in their department and by Human Resources.

An employee's outside employment must not interfere with the City's scheduling demands, attendance, or performance standards. Employees shall not be permitted to utilize any City equipment whatsoever, including, but not limited to, safety vests, tools, vehicles, computer equipment, or any other equipment owned by the City of West Lafayette for use in other employment. In addition, you may not perform services on behalf of any other person or employer during your workday for the City.

14.00 DAMAGE TO PERSONAL PROPERTY

The City shall reimburse any employee whose personal property (glasses, dentures, etc.) has been destroyed in the line of duty without negligence or fault by the employee. All claims must be substantiated by the department head and documented with a

corresponding invoice. The Board of Public Works and Safety or Board of Parks and Recreation must approve these claims.

The City cannot be responsible and is not liable for loss or damage to your personal property (including, but not limited to, damage to your personal vehicle in our parking areas or used in performing duties for the City.) You should not bring valuables or large amounts of money to work. You should take reasonable precautionary measures in order to secure personal items.

15.00 INFORMATION SYSTEMS ACCEPTABLE USE POLICY

15.01 OVERVIEW

The City of West Lafayette's intentions for publishing an Acceptable Use Policy are not to impose restrictions that are contrary to its established culture of openness, trust and integrity. The City's Information Technology Department is committed to protecting the City and its employees from illegal or damaging actions by individuals, either knowingly or unknowingly.

Internet/Intranet/Extranet-related systems, including but not limited to computer equipment, mobile communication devices, software, operating systems, storage media, network accounts, and electronic communications, are the property of the City of West Lafayette. These systems are to be used for business purposes in serving the interests of the City and its citizens in the course of normal operations.

Effective security is a team effort involving the participation and support of every employee who deals with information and/or information systems. It is the responsibility of every information system user to know these guidelines, and to conduct their activities accordingly.

15.02 PURPOSE

The purpose of this policy is to outline the acceptable use of information technology. Inappropriate use exposes the City of West Lafayette to risks including financial risk, compromise of network systems and services, loss of productivity, and legal issues.

15.03 SCOPE

This policy applies to the procurement, use of, and disposal of information systems. Information systems include:

- Electronic and computing devices.
- Network infrastructure and resources used to interact with city networks and systems.
- Systems owned or leased by the City of West Lafayette, the employee, or third parties.

Everyone is responsible for exercising good judgment regarding appropriate use of information, electronic devices, and network resources in accordance with the city policies and local laws and regulations.

15.04 GENERAL USE AND OWNERSHIP

Information stored on electronic and computing devices whether owned or leased by the City, the employee or a third party, remains the sole property of the City of West Lafayette. Employees must be aware that electronic information including but not limited to messages, documents, transaction records, social media activity, etc. may contain sensitive information, and/or be subject to public records retention policies and as such must be handled accordingly. Failure to do so may be punishable by law. Contact the City Clerk if you have questions about public records. If in doubt, treat the information as a public record for retention purposes, but seek guidance on the appropriate policy for distribution of the data, in order to ensure that sensitive or regulated data is not inappropriately released. In short, hold on to and do not distribute data about which you have questions until you receive clarification from the data owner about disposal or distribution.

You have a responsibility to promptly report the theft, loss or unauthorized disclosure of sensitive information.

You may access, use or share sensitive information only to the extent it is authorized and necessary to fulfill your assigned job duties.

Employees are responsible for exercising good judgment regarding the reasonableness of personal use.

For security review and network maintenance purposes, authorized individuals within the City of West Lafayette may monitor equipment, systems and network traffic at any time. Authorization to monitor network traffic shall be in writing, and pre-approved by the Mayor.

The Information Technology Department reserves the right to audit networks and systems on a periodic basis to ensure compliance with city policies.

15.05

INFORMATION SECURITY

System level and user level credentials, including passwords must comply with the Acceptable *Authentication and/or Authorization*.

Providing an access credential to another individual, either deliberately or through failure to secure its access, is prohibited.

All computing devices must be secured with an authentication protected session lock with the automatic activation feature set to 30 minutes or less. Employees must lock the screen or log off when the device is unattended.

Postings by employees from a City of West Lafayette network account to newsgroups, social media sites, weblogs, etc., should be avoided unless authorized by a supervisor to do so as a normal business duty.

Employees should avoid opening e-mail attachments, links, postings, messages, etc. received from unknown senders, or unexpected content from known senders, as this content may be malicious.

15.06

UNACCEPTABLE USE

The following activities are, in general, prohibited. Employees may be exempted from these restrictions during their legitimate job responsibilities.

Under no circumstances is an employee authorized to engage in any activity that is illegal while utilizing the City of West Lafayette information systems.

The lists below are by no means exhaustive but attempt to provide a framework for activities which fall into the category of unacceptable use.

System and Network Activities

The following activities are strictly prohibited, with no exceptions:

1. Violations of the rights of any person or company protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations, including, but not limited to, unauthorized access to systems and the installation or distribution of "pirated" or other software products that are not appropriately licensed for use by the City of West Lafayette.
2. Unauthorized copying of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books or other copyrighted sources, copyrighted music, and the installation of any copyrighted software for which the City of West Lafayette or the end user does not have an active license is prohibited.
3. Accessing data, a server or an account for any purpose other than conducting the City of West Lafayette business, even if you have authorized access, is prohibited.
4. Introduction of services, hosts, and networking equipment into the network environment including, but not limited to, wireless access points, cloud services, internet service, switches, routers, firewalls, non-city owned equipment, data links, network bridges, servers, unmanaged PC's, and unmanaged mobile devices is prohibited without prior authorization from the IT department.
5. Introduction of malicious programs into the network or server (e.g., viruses, worms, Trojan horses, e-mail bombs, etc.).

6. Revealing your account credential (e.g. username and password) to others or allowing unsupervised use of your account by others.
7. Using a City of West Lafayette computing asset to actively engage in procuring or transmitting material that is in violation of sexual harassment, discrimination of any kind, bullying or hostile workplace laws.
8. Making fraudulent offers of products, items, or services originating from any City of West Lafayette account.
9. Effecting security breaches or disruptions of network communication. Security breaches include, but are not limited to, accessing data of which the employee is not an intended recipient or logging into a server or account that the employee is not expressly authorized to access, unless these duties are within the scope of regular duties. For purposes of this section, "disruption" includes, but is not limited to, network sniffing, pinged floods, packet spoofing, denial of service, and forged routing information for malicious purposes.
10. Network, or host scanning unless prior authorization from the City's Information Technology Manager is received in writing.
11. Executing any form of network monitoring which will intercept data not intended for the employee's host, unless this activity is a part of the employee's normal job/duty.
12. Circumventing user authentication or security of any host, network or account.
13. Using any program/script/command, or sending messages of any kind, with the intent to interfere with, or disable, a user's session, via any means, locally or via the Internet/Intranet/Extranet.
14. Providing sensitive information about, or lists of, the City of West Lafayette's employees or citizens to third parties outside the City of West Lafayette government, unless this activity is a part of the employee's normal job/duty and in response to a lawful request.

15.07 POLICY COMPLIANCE

The City of West Lafayette's I.T. team will verify compliance to this policy through various methods, including, but not limited to, business tool reports, internal and external audits, and feedback to the Mayor.

Any exception to Section 16.00 of this policy must be approved in advance by the City's Information Technology Manager.

16.00 ELECTRONIC MAIL AND INTERNET USAGE

The purpose of this policy is to promote the productive use of internet and electronic mail resources while preventing the abuse and misuse that can negatively impact productivity and expose the City of West Lafayette to potential liabilities.

The use of electronic information is a privilege and requires responsible and ethical use. All employees shall use common sense and sound judgment when utilizing the e-mail or internet system just as they would if they were writing memoranda or letters. All e-mails should be courteous and professional. Examples of unacceptable use of the internet and e-mail include but are not limited to: reviewing non-business related sites or pornographic sites; downloading or copying software from the internet; e-mailing chain letters and other types of mass mailings; and, transmitting messages or materials that violate the City's policy against harassment and discrimination or for transmitting otherwise inappropriate messages or materials that contain defamatory, abusive, harassing, obscene, pornographic, profane, sexually oriented, threatening, racially offensive or otherwise biased, discriminatory, or illegal material, whether self-generated or involuntarily received from inside or outside the City.

Limited personal use of e-mail and the internet should, with infrequent exceptions, occur on the user's own time and shall not interfere with the employee's job responsibilities. Personal use of

e-mail and the internet must be consistent with the City's policy on Electronic Mail and Internet Usage.

The computer technology and e-mail systems are the property of the City of West Lafayette and are subject to monitoring. All data entered, created, received, stored or transmitted via City systems are considered City Property. Users should be aware that e-mail messages cannot be considered private and may be subject to inspection by outside third parties and the employee's supervisor, department head or the Human Resources Director.

The use of a password to access the internet or e-mail system does not assure the confidentiality of any message stored in, created, received, or sent from the City e-mail system. Use of passwords or other security measures does not in any way diminish the City's rights to access materials on its system or create any privacy rights of employees in the messages and files on the system. Any password used by a City employee must be provided to their supervisor or department head, as an employee's file may need to be accessed in an employee's absence.

E-mails to and from the City's legal counsel must be treated with special care to protect attorney/client privilege. They should not be forwarded to others (inside or outside the City) without the attorney's prior direction.

Any employee who abuses the privilege of using the City's e-mail system or internet access will be subject to appropriate disciplinary action up to and including termination.

17.00 CELLULAR PHONE USAGE

While at work, employees are expected to exercise the same discretion in using personal cellular phones as is expected for the use of work phones. Personal calls during the work hours, regardless of the phone used, can interfere with employee productivity, safety and be distracting to others. Employees should keep personal calls to a minimum.

Employees who carry City cell phones for business reasons and use features including, but not limited to, cameras, texting, games, music and Internet connectivity are subject to the same rules as in the Electronic Mail and Internet Usage policy.

17.01 INDIANA HANDS-FREE DRIVING LAW

Governor Holcomb signed into law House Enrolled Act 1070, Indiana code 9-21-8-59 on July 1, 2020 banning the use of hand-held devices while driving. The objective is to increase roadway safety in Indiana by updating Indiana's distracted driving law to require drivers to use hands free technology when using a telecommunications device behind the wheel.

Studies have demonstrated how the use of cell phones while driving pose a significant safety risk to motorists, their passengers and others on the road. Employees whose job responsibilities include driving or equipment operation are expected to refrain from using their cellular device (including hands free) while driving or operating equipment. If acceptance of a call is unavoidable and pulling over is not an option, employees are expected to keep the call short and use a hands free or voice operated technology. Safety must come before all other concerns.

CDL holders are held to an even higher standard and, regardless of the circumstances, may not use cell phones or any other mobile electronic devices while operating a motor vehicle. This includes, but is not limited to, answering or making phone calls, engaging in phone conversations, reading or responding to emails and text messages, adjusting a Global Positioning System (GPS) and accessing the Internet.

Texting and emailing while driving is never acceptable. All employees must pull over to a safe place and stop the vehicle before sending or replying to a text or email.

Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions. Violations of this policy may result in disciplinary action, up to and including termination.

18.00 SOCIAL MEDIA POLICY

City of West Lafayette employees, citizens, and other members of the public use the Internet to obtain information about the City and our services.

The City always expects employees to act responsibly and exercise good judgment and the highest degree of professionalism and confidentiality. This responsibility is particularly important regarding information placed on the Internet about the City and any of its employees. No information about our citizens (whether identified or not) should ever be placed on the Internet.

Information placed on the Internet and data sent via other electronic media (e.g., email, text messages, etc.) can easily end up in the public domain. Absolute privacy of information and data placed on the Internet and sent electronically cannot be guaranteed. If you fail to act responsibly in that regard, the information and content placed on the Internet or communicated via other media can have a harmful effect on the City, its employees, and others associated with us. Employees must be cognizant of the impression you create when information is placed about the City or its employees on the Internet.

With the above in mind, the City has established guidelines to ensure that the City and all persons associated with it are always treated with respect and professionalism. We also want to ensure that anything that is placed in the public domain about the City is in the best interests of the city and that it reflects positively on us. Accordingly, you must adhere to these guidelines regarding information placed on the Internet about the City or its employees, or both:

1. If you create or maintain a web site, blog, or similar internet site about yourself (e.g., Facebook, Twitter, Instagram, LinkedIn, etc.), you must exercise the highest degree of good judgment regarding the material placed on that site or blog. For example, you should ask yourself: "What would a prospective or current citizen think about me or the City, or both, if the citizen sees this material? If the answer is that the citizen might perceive something negative, then the material that may create a negative impression about the individual or the City should not be placed on the site or blog.
2. If you participate in a blog or other site by making comments about public issues, you may not identify yourself as associated with the City, either explicitly or implicitly, unless authorized in writing by the Mayor. Messages about the City on Twitter and other sites are not permitted without prior written authorization. We do allow you to identify your affiliation with the City on LinkedIn, Facebook, and similar sites.
3. Content placed on the Internet or transmitted via other media may not be potentially defamatory, abusive, threatening, harassing, invasive of privacy, or injurious to you, a citizen, or another individual. Moreover, this content may not violate the City's confidentiality policies.

Employees should not have any expectation of privacy while accessing social media at work or on company-owned equipment.

As is true of all other City policies, a violation of this policy may result in disciplinary action, up to and including termination of employment.

19.00 BENEFITS

Active full-time employees of the City are eligible to participate in a wide range of benefits. Benefits such as Social Security, workers' compensation, and unemployment insurance cover you in the manner prescribed by State law. Health and welfare benefits such as medical, dental, vision, life, and disability insurance are also provided as well as an array of voluntary benefit programs. Some benefit programs require contributions by the employee, while others are fully paid by the City. Employees should refer to their current Employee Benefit Guide for detailed benefit information.

19.01 HEALTH CARE CONTINUATION COVERAGE

The Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their families who lose their health benefits the right to choose to continue group health benefits provided by their group health plan for limited periods of time under certain circumstances such as voluntary or involuntary job loss, reduction in the hours worked, transition between jobs, death, divorce, and other life events. Qualified individuals may be required to pay the entire premium for coverage up to 102 percent of the cost to the plan.

19.02 GROUP INSURANCE FOR PUBLIC EMPLOYEES

Employees who have 20 years of service with a public employer who have completed at least 15 years of participation in the INPRS retirement plan, may remain on the City's group medical insurance plan. This insurance will end when an employee becomes eligible for Medicare.

19.03 INDIANA PUBLIC RETIREMENT SYSTEM ("INPRS")

Full-time civilian employees of the City who are covered by this Policy are required to participate and be enrolled in the Indiana Public Retirement System ("INPRS"). The terms, conditions, benefits, eligibility requirements and contribution rates for INPRS are defined by statute and/or the Fund. Information concerning INPRS is available during an employee's orientation and by contacting the Human Resources Department.

20.00 UNIFORM/CLOTHING ALLOWANCE

A uniform or clothing allowance is granted to qualified personnel pursuant to the annual City budget and payable in two (2) installments (April and October) subject to the availability of funds. This allowance is to purchase, repair and maintain uniforms or clothing. Accrual is calculated on a six-month basis.

The City may purchase uniforms for qualified personnel that consists of apparel with City and departmental identification if the following conditions are met: the apparel is required to be worn during the work day for a work-related purpose, is prohibited from being worn outside of work except *de minimis* (to and from home), shall not be worn by anyone else, and is to be returned upon termination of employment. A violation of the uniform policy may result in disciplinary action and will also result in the uniform being reported as a taxable fringe benefit according to Internal Revenue Service guidelines.

20.01 SAFETY-TOE FOOTWEAR ALLOWANCE

Employees may be required to wear safety-toe protective footwear while performing their job duties. In this instance, safety-toe footwear or work boots are considered Personal Protective Equipment (PPE). The City will provide eligible employees with an annual monetary reimbursement allowance of up to one-hundred fifty (\$150.00) to full-time employees who are required to wear steel/composite safety-toe footwear. Employees will be reimbursed through the A/P claims process once the original purchase receipt is submitted and approved by the employee's supervisor.

Employees who choose to wear everyday work boots to perform their job duties, will be solely responsible for the cost of their footwear.

21.00 VACATION

21.01 ELIGIBILITY

Vacation with pay is available to regular full-time and regular part-time employees. Employees are eligible to use vacation during their first year of partial employment on a pro-rated basis in accordance with Section 21.02. Vacation is awarded on a calendar-year basis. At the Mayor's sole discretion, a department head or other employee may be granted vacation leave in an amount and at a time the Mayor deems appropriate under the circumstances. Vacation leave will not be considered hours worked for the computation of overtime or earning compensatory time.

21.02 AMOUNT OF VACATION

Your vacation allotment during the first partial calendar year of employment will be in accordance with the following schedule:

LENGTH OF SERVICE**VACATION DAYS PER YEAR**

If employee is hired by:

March 1	10 days
April 1	9 days
May 1	8 days
June 1	7 days
July 1	6 days
August 1	5 days
September 1	4 days
October 1	3 days
November 1	2 days
December 1	1 day

The following shows the vacation you earn annually for each full calendar year of service on January 1.

1-5 years	10 days
6-11 years	15 days
12 or more years	20 days

Regular part-time employees, who are scheduled to work 20 hours or more per week, will be awarded vacation time on a pro rata basis.

21.03 CARRY-OVER PROVISION

An employee may elect to carry over up to five days of accrued vacation into the following calendar year. Excess days will be forfeited at the end of the calendar year.

21.04 REQUESTS FOR VACATION

Vacation leave will be granted at a time which is mutually acceptable to the employee, their supervisor and the department head, consistent with the demands of the department and should be requested of their supervisor or department head as far in advance as possible. The department head has the discretionary authority to approve, deny and cancel any vacation leave request for good cause. Each department head may set criteria for vacation scheduling that take into account specific conditions of their department. Vacation time may be taken in 30-minute increments.

21.05 HOLIDAYS DURING VACATION

Paid holidays and official holidays occurring during an employee's vacation period will not be counted against the vacation leave.

21.06 VACATION LEAVE UPON TERMINATION

When an employee terminates, vacation leave which is unused at the time of termination will be granted in the form of compensation for that time. An employee who terminates that was hired prior to January 1, 2020 will also receive accrued vacation leave at the time of termination. The employee's termination date may not be extended to include unused vacation time for the purpose of extending benefits. The employee's effective termination date shall always be the last day worked. If employment is terminated during the introductory period, accrued vacation leave will be paid out at the time of separation.

If an employee fails to give at least fourteen (14) days written notice before resigning from employment, he/she will not be entitled to unused, accrued vacation upon termination.

21.07 INTERRUPTION OF SERVICE

An employee who has worked a minimum of three (3) consecutive years who has an interruption in employment of one year or less shall be credited with prior full-time service. After an interruption of more than one year, a returning employee shall be treated as a new employee for purposes of calculating vacation time earned and shall not receive credit for prior service.

22.00 PERSONAL LEAVE**22.01 POLICY**

The City of West Lafayette provides its regular full-time and regular part-time employees personal leave who must be absent from normal duties to take care of personal business. Personal leave

will not be considered hours worked for the computation of overtime pay or earning compensatory time.

22.02 MAXIMUM PERSONAL DAYS GRANTED

After the Training/Orientation Period, a regular full-time and regular part-time employee hired prior to July 1 shall be granted two personal days of leave in a calendar year. Personal leave cannot be carried over from one year to the next. Upon termination an employee will not be compensated for unused personal leave.

22.03 REQUESTING PERSONAL LEAVE

An employee should request personal leave from their supervisor or department head 48 hours in advance of the period to be absent from normal duties unless the need for personal leave is not foreseeable or it is otherwise not possible to make the request in advance. Personal leave may be taken in one-quarter (1/4) hour increments, subject to approval by your supervisor and/or department head.

23.00 EXTENDED LEAVE WITHOUT PAY

The Board or Public Works and Safety, upon the request of a department head, may grant an extended leave without pay and/or fringe benefits to an employee. Extended leave shall total no more than 60 working days, excluding leave taken under the Family and Medical Leave Act. The department head or their designee is responsible for maintaining a permanent record of extended leave for each employee. An employee will not be granted extended leave under this section until he/she has exhausted any unused vacation leave, personal leave and compensatory time.

24.00 HOLIDAYS WITH PAY**24.01 POLICY**

The City of West Lafayette designates certain days to be observed as paid holidays in each calendar year for all regular full-time and regular part-time employees. The holiday pay will be based upon the normal scheduled workday. Regular part-time employees shall be entitled to holiday leave on a *pro rata* basis. Holidays will be considered hours worked for the computation of overtime pay or earning compensatory time.

24.02 DESIGNATED HOLIDAYS

The days of the official holidays for the City of West Lafayette for the succeeding calendar year will be designated by the Mayor and presented by memorandum from the Human Resources Director by December 20th of each year. The Street and Sanitation Department may schedule other days to be observed in lieu of such holidays in order to maintain services.

The Mayor, at their discretion, will designate which days departments and offices of the City of West Lafayette will be open and closed.

24.03 PERSONAL HOLIDAY DAY (PHD)

Patrol Dispatchers and full-time Wellness Center employees are entitled to 14 (fourteen) personal holiday days (PHD) of leave per calendar year in lieu of the City designated holidays. Patrol Dispatchers and full-time Wellness Center employees hired mid-year will receive the equivalent number of personal holiday days as there are remaining city designated holidays. An employee should request personal holiday leave from their supervisor or department head 48 hours in advance of the period to be absent from normal duties.

24.04 WORKING ON A DESIGNATED HOLIDAY

Wastewater Treatment Utility operators whose normal day off falls upon a designated holiday of the City shall have a regularly scheduled workday off with pay as assigned by the immediate supervisor. The supervisor will schedule the alternate workday off in the same pay period. All other employees (other than police dispatch and full-time Wellness Center employees) who work a designated holiday will be compensated in accordance with the salary ordinance regardless of hours worked in the scheduled work week.

24.05 NON-PAID HOLIDAYS

Seasonal, temporary, and variable employees are not eligible for paid holidays.

25.00 BEREAVEMENT LEAVE

The City of West Lafayette provides its regular full-time and regular part-time employees with bereavement leave to attend the funeral of a family member and to handle personal affairs.

1. Employees will be allowed up to five days of paid leave for the death of a spouse, child, parent and corresponding in-law, or step-relative of your spouse.
2. Employees will be allowed up to three days of paid leave for the death of a grandparent, grandchild, sibling, and corresponding in-law, or step-relative of your spouse.
3. Employees will be allowed one day of paid leave for the death of an uncle, aunt, niece, nephew.
4. Employees will be allowed one-half day of paid leave to attend a funeral service for a co-worker in the same department, subject to the staffing needs of your department as determined by your department head.

An employee in need of more bereavement must use vacation, personal leave, or compensatory time, or seek approval for additional unpaid leave through their department head, who shall review each request on a case-by-case basis. Bereavement leave will not be considered hours worked for the computation of overtime pay or earning compensatory time.

An employee may be asked to provide documentation of the death, such as a newspaper report.

26.00 PAID SICK LEAVE

26.01 POLICY

The City of West Lafayette provides sick leave to its regular full-time and regular part-time employees and allows for the accrual of unused sick leave, within certain limitations. Annual sick leave is a privilege granted to an employee as a protection, IN CASE OF NEED, should he/she become ill and not able to work, should an illness strike a member of the immediate family or for medical appointments of the employee or a spouse or child of the employee. Sick leave will not be considered hours worked for the computation of overtime pay or earning compensatory time. Paid sick leave may be used in one-quarter (1/4) hour increments.

26.02 REGULAR EMPLOYEES

Annual sick leave will accrue at the rate of .0385 hours per scheduled work hours, including all paid leave, for regular full-time employees, but not for hours worked in excess of scheduled work hours. Ninety (90) days is the maximum sick leave which can be accumulated by an employee during the course of their employment. Sick leave will accrue at the rate of 0.385 hours on a *pro rata* basis for regular part-time employees based on the number of hours scheduled in their work week.

26.03 DOCTOR'S CERTIFICATION

Upon the request of a supervisor or department head, an employee may be required to present a doctor's certificate, signed by the attending physician, to be entitled to paid sick leave.

26.04 SICK LEAVE UPON TERMINATION

Upon termination of employment, employees will be paid for unused sick leave, up to a maximum of 45 full days. Employees hired before May, 1986 who have up to 60 days of accrued sick leave upon termination of employment will be compensated in full for the first 30 days of accrued sick leave, and will be compensated for one half of the next 30 days, for a total of 45 full days of compensation. Employees hired after May 1986 who have up to 90 days of accrued sick leave upon termination of employment will be compensated for one half of the balance, or a total of 45 full days of compensation.

A day shall mean a regularly scheduled workday for that employee.

If an employee fails to give at least fourteen (14) days written notice before resigning from employment, he/she will not be entitled to unused, accrued sick leave upon termination.

27.00 COURT AND JURY LEAVE

The City of West Lafayette grants employees leave to serve on a jury in any state, federal, or local court without loss of pay. An employee should notify their supervisor or department head upon receipt of a summons. In order to be entitled to jury duty leave, an employee must refund any jury duty compensation from the court to the City by remitting such payment to the Finance Office. While on jury duty leave, the employee will retain all benefits and continue to accrue sick leave and vacation. The duration of the jury duty will be considered hours worked for the computation of overtime pay and earning compensatory time. However, the maximum hours of work credited per day cannot exceed the hours in the employee's regularly scheduled workday. An employee appearing in court on their own behalf, as a subpoenaed witness, or as a party in a lawsuit, is required to use a paid personal day, vacation leave or must take the time off as unpaid leave.

28.00 FAMILY AND MEDICAL LEAVE ACT

28.01 POLICY

The City of West Lafayette provides up to twelve weeks of leave in accordance with the Family and Medical Leave Act ("FMLA") to all eligible employees. The City of West Lafayette utilizes a rolling twelve-month period for the determination of eligibility for FMLA leave.

The Human Resources Manager is responsible for administering the City of West Lafayette's FMLA policy. Any questions about the application of the FMLA to an employee's circumstances or any other questions about the FMLA or this policy should be directed to the Human Resources Manager.

28.02 ELIGIBLE EMPLOYEES

An employee is eligible for FMLA leave if he/she:

- A. has been employed by the City for at least 12 months, and
- B. has been employed by the City for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave.

Employees who do not satisfy these requirements are not eligible for FMLA leave but may be eligible for other leave in accordance with the City of West Lafayette policy.

28.03 REQUIREMENTS

An employee may request a total of 12 weeks (60 workdays) of leave during a 12-month period for the following reasons:

- A. because of the birth of a child of the employee and in order to care for such child;
- B. because of the placement of a child with the employee for adoption or foster care and to care for such child;
- C. in order to care for a husband or wife including married same-sex partner, regardless of residency.; or a son or daughter; or parent of an employee who has a serious health condition (reasonable documentation of the family relationship may be required), or
- D. because of a serious health condition that makes the employee unable to perform one or more of the essential functions of the employee's position.

"Serious health condition" is a term that is specifically defined in the FMLA. The Human Resources Manager can provide additional information regarding this term.

28.04 PAID AND UNPAID LEAVE

An employee is required to exhaust all accrued paid vacation, personal and sick leave for any part of the 12-week period of FMLA leave, unless the FMLA leave is due to a work-related injury/illness. If an employee is on FMLA leave, the unused accrued leave will remain intact but not accrue during that leave.

After the exhaustion of all accrued paid vacation, personal and sick leave, the remaining time in the FMLA leave period shall be unpaid.

An employee may request to use accrued compensatory time for an FMLA reason. If the employee is paid during the absence from the employee's accrued compensatory time account, it may not be counted against the employee's FMLA leave entitlement.

28.05 REQUEST FOR FMLA LEAVE

If leave is foreseeable, i.e. expected birth or placement of a child, planned medical treatment for a serious health condition of the employee or the employee's spouse including married same-sex partner, child or parent, the employee must notify the Human Resources Manager of the duration of the leave and the date leave will begin at least 30 days in advance of leave commencing. When the need for leave is not foreseeable, or when it is not possible to give 30 days' notice, an employee must give notice as soon as practicable, or within no more than two working days of learning of the need for leave.

In the case of a worker's compensation claim that is also covered by FMLA leave, the Human Resources Manager will notify the employee in writing the effective starting date of the leave.

28.06 FAMILY AND MEDICAL LEAVE TAKEN

INTERMITTENTLY OR ON A REDUCED LEAVE BASIS

An employee may take FMLA leave on an intermittent or a reduced leave basis when medically necessary for medical treatment for or recovery from a serious health condition or periods of incapacity due to an employee's or an employee's spouse including married same-sex partner, child, or parent's serious health condition. Such leave must be supported by a certification from the employee's or the employee's spouse including married same-sex partner, child, or parent's health care provider stating that the medical need can best be accommodated through an intermittent or reduced leave schedule.

28.07 TIME LIMIT

The maximum amount of FMLA leave an employee may take is 12 weeks (60 workdays), including all accrued paid vacation, personal and sick leave, within any 12-month period. An employee who has exhausted their 12 weeks and is still unable to return to work due to their serious health condition, may request additional leave as a reasonable accommodation under the Americans with Disabilities Act.

28.08 CERTIFICATION

When the need for leave is foreseeable, the employee should provide the Human Resources Manager with a certification supporting the need for FMLA leave from their health care provider or from the spouse's including married same-sex partner's, child or parent's health care provider before the leave begins. If this is not possible, the employee must provide the certification within 15 calendar days after the City's request for such certification. The certification must be on the form provided by the City and can be obtained from the Human Resources Manager. If the City has reason to doubt the validity of the certification, the employee may be required to obtain a second opinion of a health care provider, designated or approved by the City of West Lafayette, and at the expense of the City of West Lafayette. If the opinion of a third healthcare provider is required, it will be at the expense of the City and the City and the employee must jointly approve the health care provider.

Except as otherwise provided by the Family and Medical Leave Act and accompanying regulations, during a period of FMLA leave, the employee is required to provide to Human Resources subsequent re-certifications every 30 days for the duration of leave.

Upon return from FMLA leave for an employee's serious health condition, the employee shall be required to supply Human Resources with certification, at the employee's expense, from their health care provider that he/she is able to resume work.

28.09 MAINTENANCE OF BENEFITS

During any FMLA leave, the City of West Lafayette shall maintain all group health plan benefits the employee was entitled to at the time the leave commenced. However, the City of West Lafayette

will only maintain the portion of the employee's group health plan benefits that it was paying at the time the employee's FMLA leave commenced. It is the responsibility of the employee to pay their portion of their health plan benefits during the period of FMLA leave in a timely manner as specified by the Finance Office.

Employees do not accrue additional seniority or employment benefits during unpaid FMLA leave. An employee returning from FMLA leave is entitled to no greater right, benefit or position than the employee would have been entitled to had he/she not taken the period of FMLA leave.

The City of West Lafayette may recover the premiums paid for maintaining group health plan benefits for the employee during the period of FMLA leave if the employee fails to return because of any reason or circumstance other than the continuation of, reoccurrence or onset of a serious health condition that would entitle the employee to a period of FMLA leave or any other circumstance that is beyond the control of the employee.

28.10 RESTORATION

Subject to 29 C.F.R. § 825.216 and provisions of this policy. Upon return from FMLA leave, an employee is entitled to be restored to the position of employment he/she held at the time the period of leave commenced or to be restored to an equivalent position, with equivalent benefits, pay and other terms and conditions of employment.

28.11 RECORDING OF LEAVE UNDER THE FAMILY AND MEDICAL LEAVE ACT

The Human Resources Manager is responsible for maintaining a permanent record of an employee's FMLA leave.

28.12 CONSEQUENCES OF EMPLOYEE'S FAILURE TO MEET THEIR OBLIGATIONS UNDER THE FMLA

An employee who fails to meet their obligations to the City under the FMLA as described above may be denied the benefits and protections of the FMLA in accordance with applicable law.

An employee may not maintain secondary employment while on FMLA leave for their own serious health condition if it creates an actual or apparent conflict of interest or the restriction relates to a bona fide occupational requirement. Additionally, fraudulent use of FMLA leave in situations that lie outside of the medical or other parameters for which the leave was approved is considered grounds for immediate termination

28.13 UNLAWFUL ACTS OF EMPLOYERS

The FMLA makes it unlawful for any employer to:

- (a) interfere with, restrain, or deny the exercise of any right provided under FMLA;
- (b) discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

The FMLA does not affect any federal or state law prohibiting discrimination.

28.14 FMLA – MILITARY FAMILY LEAVE ENTITLEMENTS

The National Defense Authorization Act of 2010 (NDAA 2010) was signed into law on October 28, 2009, this new law includes an expansion of the recently enacted exigency and caregiver leave provisions for military families under the Family and Medical Leave Act of 1993.

28.15 MILITARY CAREGIVER LEAVE

A. An employee is eligible for military caregiver leave if he/she is the service member's spouse including married same-sex partner, child, parent, or nearest blood relative.

B. A "Covered Service Member" is a current member of the Armed Forces, including the National Guard, or Reserves.

C. An eligible employee is limited to a combined total of up to 26 weeks of unpaid leave in a 12-month period.

28.16 QUALIFYING EXIGENCY LEAVE

A. An employee is eligible for exigency leave if he/she has a spouse, son, daughter, or parent on active duty, or has been notified of an impending call or order to active duty, in support of a contingency operation.

B. Qualifying exigency leave is available to a family member of a military member in the National Guard or Reserves; it only extends to family members of military members in the Regular Armed Forces if deployed on active duty in a foreign country.

C. An eligible employee may take up to a total of 12 weeks of unpaid leave.

D. Qualifying exigencies include: short-notice deployment (a week or less in notice of deployment); military events and related activities; urgent child care and related activities; financial and legal arrangements; counseling; rest and recuperation; post-deployment activities; and any other event that the employee and the employer agree is a qualifying exigency.

28.17 NOTICE REQUIREMENTS

A. Employees seeking to use military caregiver leave must provide 30 days advance notice of the need to take FMLA leave for a planned medical treatment for a serious injury or illness of a covered service member. If 30 days advance notice is not practicable, then he/she must provide notice as soon as practicable – generally, either the same or next business day.

B. An employee must provide notice of the need for the foreseeable leave due to a qualifying exigency as soon as practicable.

28.18 CERTIFICATION REQUIREMENTS

A. Leave to care for a covered service member must be supported by a certification completed by an authorized health care provider or by a copy of an Invitational Trade Order (ITO) or Invitational Travel Authorization (ITA) issued to any member of the covered service member's family.

B. Leave for a qualifying exigency must be supported by a copy of the covered military member's active duty orders and certification providing the appropriate facts related to the particular qualifying exigency for which leave is sought, including contact information if the leave involves meeting with a third party.

29.00 MILITARY FAMILY LEAVE

Effective July 1, 2007, Governor Daniels signed into law the Military Family Leave Act. Under this Act, employees may take up to 10 days of unpaid leave per year during one or more of the following periods:

A. during the 30-days before active duty orders are in effect,

B. during a period in which the person ordered to active duty is on leave while active duty orders are in effect,

C. during the 30 days after the active duty orders are terminated.

29.01 ELIGIBLE EMPLOYEES

An employee is eligible for military family leave if he/she:

A. is the spouse including married same-sex partner, parent, grandparent, or sibling of the service person, as defined in Ind. Code Section 22-2-13, and

B. has been employed by the City for at least 12 months, and

C. has been employed by the City for at least 1,500 hours of service during the 12-month period immediately preceding the commencement of the leave.

29.02 REQUEST FOR LEAVE

Employees must give written notice of a request for leave, including a copy of the active duty order if available, to Human Resources of a request for leave at least 30 days prior to the requested leave, unless the service person's active duty orders are issued less than 30 days prior to the requested leave. If an employee fails to provide verification, the city may consider the employee's absence unexcused.

29.03 MAINTENANCE OF BENEFITS

During any family military leave, the City of West Lafayette shall maintain all group health plan benefits the employee was entitled to at the time the leave commenced. However, the City of West Lafayette will only maintain the portion of the employee's group health plan benefits that it was paying at the time the employee's family military leave commenced. It is the responsibility of the employee to pay their portion of their health plan benefits during the period of family military leave in a timely manner as specified by the Finance Office.

29.04 RESTORATION

An employee returning from military family leave will be restored to the same or equivalent position of employment he/she held at the time the period of leave commenced unless the reason for not restoring the employee to the same or equivalent position is unrelated to their use of military family leave.

29.05 PAID AND UNPAID LEAVE

An employee may choose to substitute accrued vacation leave or compensatory time for any or all of the unpaid family military leave.

30.00 MILITARY LEAVE

The City of West Lafayette provides military leave to any City employee who is a member of the Indiana National Guard, a member of a reserve component or branch of the United States Military, or a member of the retired personnel of the naval, air or ground forces of the United States in compliance with the Uniformed Services Employment and Re-employment Rights Act and the Indiana Code. All employees requiring military leave shall give advance notice as soon as practicable to their supervisor of when they shall require military leave. In accordance with I.C. § 10-16-7-5, a City employee is entitled to receive a leave of absence in addition to regular vacation period without loss of time or pay for the time the employee is on training duties of the state of Indiana under the order of the governor as commander in chief; or, for the time a City employee is a member of any reserve component under the order of the reserve component authority. This leave shall be paid military leave for any consecutive or nonconsecutive period that does not exceed a total of fifteen (15) days in any calendar year. Paid military leave pursuant to I.C. § 10-16-7-5 will be considered hours worked for the computation of overtime pay and earning compensatory time. However, the maximum hours of work credited per day cannot exceed the hours in the employee's regularly scheduled workday. A City employee who is a member of the Indiana National Guard is also entitled to military leave of absence in addition to the employee's regular vacation period for the total number of days that the employee is on state active duty in accordance with I.C. § 10-16-7-7. Military leave pursuant to I.C. § 10-16-7-7 shall be unpaid; however, an employee may use their personal leave or vacation on those days when military leave is required. Eligibility for reinstatement after completion of military duty or training is determined in accordance with applicable federal and state laws.

31.00 TOBACCO FREE WORKPLACE POLICY

Effective July 1, 2007, in keeping with Ordinance No. 28-05 and with the City of West Lafayette's intent to provide a safe and healthful work environment for its employees, customers, and visitors, smoking, which includes e-cigarettes or similar vaping devices, is prohibited in any City owned or leased building.

31.01 POLICY

Smoking shall not be permitted in any indoor work area. This includes common work areas, conference and meeting rooms, private offices, elevators, hallways, employee lounges, stairs, restrooms, shops, warehouses, and vehicles used for business. This policy applies to all employees, suppliers, visitors, and customers.

Employees who need to smoke at work may do so during their scheduled 15-minute break period. Each building owned or leased by the City shall establish a smoking area in accordance with this policy and utilize the following guideline:

- Smoking shall occur at a distance not closer than 15 feet from a ventilation system or a public entrance to any area where smoking is prohibited to ensure that tobacco smoke does not enter the area through entrances, windows, ventilation systems or any other means.

31.02 SUPPORT FOR TOBACCO USERS

Tobacco users who want to quit may contact the Human Resources Department for information on tobacco cessation programs and other available resources.

31.03 COMPLIANCE

Compliance with the smoke-free workplace policy is mandatory for all employees and persons visiting the City, with no exceptions. Employees who violate this policy are subject to disciplinary action.

32.00 SAFETY POLICY

The City of West Lafayette and all employees of the City are obligated to comply with the safety standards set by the Occupational Safety and Health Act (OSHA) as well as other federal, state and local regulations. Safety is a shared responsibility. It is the City's responsibility to provide a working environment free of unreasonable health hazards, to provide training and instruction regarding proper working methods, and to make available special clothing and equipment required to protect employees from risks. It is the responsibility of each employee to report safety hazards and violations immediately, to learn and observe established safety regulations and to use the protective equipment provided.

If any employee observes an unsafe condition caused by faulty equipment or work practices, environmental hazards, inadequate training or information, carelessness, or any other factor, he/she shall report it immediately to a supervisor. Any safety hazard that is not addressed should be reported to the department head and/or Human Resources.

Every work-related injury or illness must be reported to a supervisor immediately, but no later than the beginning of the next work shift. The supervisor is responsible to see that a First Report of Injury/Illness form is completed and forwarded within two (2) business days to the Human Resources Manager and the City's workers compensation administrator. Such reporting is necessary to comply with reporting requirements of OSHA, to ensure appropriate treatment and payment and to identify accident trends and prevent recurrences. Coverage may be denied for claims that are not reported on a timely basis.

33.00 WORKPLACE VIOLENCE

33.01 POLICY

The City of West Lafayette seeks to provide a work environment free from violence and threats of violence against individuals, groups, or employees, or threats against company property-including partner violence that may occur on city property. This policy requires that all individuals on company premises or while representing the City conduct him/herself in a professional manner consistent with good business practices and in absolute conformity with non-violence principles and standards.

33.02 DEFINITION

Workplace violence is defined as a single behavior or series of behaviors which constitute actual or potential assault, battery, harassment, intimidation, threats or similar actions, attempted destruction, or threats to City or personal property; which occur in a City workplace, while using City resources, at a City work location, or while an employee is engaged in City business.

The City strictly prohibits use of violence or threats of violence in the workplace and views such actions very seriously. The possession of weapons in the workplace, threats, threatening or menacing behavior, stalking, or acts of violence against employees, visitors, guests, or other individuals by anyone on City property will not be tolerated. Violations of this policy will lead to disciplinary actions up to and including termination of employment and the involvement of appropriate law enforcement authorities as needed.

Any person who makes substantial threats, exhibits threatening behavior, or engages in violent acts on City premises shall be removed from the property as quickly as safety permits, and may be asked to remain away from City premises pending the outcome of an investigation into the incident. People who commit these acts outside the workplace, but which impact the workplace are also violating this policy and will be dealt with appropriately. The City reserves the right to respond to any actual or perceived acts of violence in a manner it sees fit according to the particular facts and circumstances.

33.03 REPORTING PROCEDURE

Employees are responsible for notifying their supervisor or department head of any threats which they have witnessed, received, or have been told that another person has witnessed or received, including those related to partner violence. Supervisors and/or department heads shall respond promptly by verbally reporting the incident to Human Resources. Even without an actual threat, employees should also report any behavior they have witnessed which they perceived as threatening or violent, when that behavior is job related or might be carried out on a city-controlled site or is connected to city employment. Employees are responsible for making this report regardless of the relationship between the individual who initiated the threat or threatening behavior and the person(s) who were threatened or were the focus of the threatening behavior. If the supervisor or department head is not available, employees should report the threat immediately to Human Resources.

34.00 POSSESSION OF FIREARMS AND WEAPONS

34.01 POLICY

Ensuring a safe work environment and the prevention of workplace violence is of utmost importance to the City of West Lafayette. Weapons inside the workplace pose a potential threat to the safety and security of our employees and to the citizens we serve. The carrying of a firearm of any kind while inside a city facility, inside a company-owned vehicle, or while conducting city business, on or offsite, is strictly prohibited, and will be subject to discipline, up to and including termination.

34.02 BRING YOUR GUN TO WORK ACT

The "Bring Your Gun to Work" Act, allows appropriately licensed employees to bring firearms and ammunition onto the property of their employers as long as the weapons and ammunition are locked in a glove box or trunk or stored out of plain sight in a locked vehicle. This also applies to employees who may have a concealed to carry permit.

34.03 DEFINITIONS

Firearm – means a gun, whether loaded or unloaded, that discharges shot or a projectile by means of an explosive, a gas or compressed air.

34.04 REPORTING OBLIGATIONS

Any employee who is aware of a firearm within a city facility or that an employee has a firearm on their possession while engaging in company business off-site, has an obligation to report this information immediately to their supervisor, or Human Resources.

35.00 WORKPLACE BULLYING

35.01 POLICY

The purpose of this policy is to communicate that the City of West Lafayette will not in any instance tolerate bullying behavior. Employees found in violation of this policy will be disciplined, up to and including termination.

35.02 PROHIBITED CONDUCT

The City defines bullying as repeated inappropriate behavior, either direct or indirect, whether verbal, physical, or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment. Such behavior violates the City's belief that all employees be treated with dignity and respect.

As in sexual harassment, it is the effect of the behavior on the individual that is important. The City considers the following types of behavior examples of bullying:

- a. Verbal bullying: Slandering, ridiculing or maligning a person or their family; persistent name calling that is hurtful, insulting or humiliating; using a person as butt of jokes; abusive and offensive remarks.
- b. Physical bullying: Pushing, shoving, kicking, poking, tripping, assault or threat of physical assault, damage to a person's work area or property.
- c. Gesture bullying: Nonverbal threatening gestures; glances that can convey threatening messages.
- d. Exclusion: Socially or physically excluding or disregarding a person in work-related activities.

36.00 WORKERS' COMPENSATION

36.01 POLICY

In accordance with the Indiana Workers' Compensation Act, the City carries worker's compensation insurance on all City employees in order to provide coverage for injuries and illnesses arising out of and in the course of employment. Such insurance shall include coverage for medical benefits and lost wages.

36.02 REPORTING PROCEDURE

All-work related injuries, *no matter how slight*, shall be recorded on the First Report of Employee Injury/Illness form and transmitted to the City's insurance carrier within two (2) business days of the injury or illness. A copy of such form shall be forwarded immediately to the Human Resources Manager for record keeping purposes.

The City has the right to direct treatment of work-related injuries. Initial treatment must be provided by the City's designated facility. In the case of an emergency, the employee should be taken to the nearest urgent care or emergency care facility. An employee who chooses to see his or her own personal physician, or any other provider, will not be eligible for benefits from the City's health plan or from the City's workers' compensation plan.

The City reserves the right to require an employee involved in an accident at work or during work hours or in a City vehicle to submit to drug and alcohol testing as permitted by law.

37.00 CITY VEHICLES

37.01 POLICY

Use of City-owned vehicles is restricted to City employees carrying out the business of the City. Employees must use assigned City vehicles for the purpose(s) authorized and must not permit unauthorized passengers. All personal use, other than for commuting or de minimis personal use (such as a stop for a personal errand on the way between a business delivery and the employee's home), is prohibited.

Damages or accidents involving city vehicle should be reported to the department head or supervisor immediately.

37.02 PERSONAL USE VEHICLES

Only employees authorized by the Mayor and who reside in Tippecanoe County are required to use a vehicle owned or leased by the City for commuting to and from work shall be eligible to be assigned a take-home vehicle. The personal use of the vehicle for commuting shall be valued using the IRS Commuting Valuation Rule. An employee will reimburse the City through payroll deduction for the value of commuting in a take home vehicle. Commuting use that is fully reimbursed will not be reported as a taxable fringe benefit.

An employee using a take home vehicle must submit monthly reports to the Finance Department which show the daily commute usage and mileage log. The mileage log shall be submitted to the employee's department head.

The Board of Public Works and Safety shall approve the Take Home Vehicle Policy effective January 1 of each year in

compliance with the Internal Revenue Code, subject to change at the discretion of the Board of Public Works and Safety.

37.03 NON-PERSONAL USE VEHICLES

An employee who is required to commute in a non-personal use vehicle is exempt from the Commuting Valuation Rule. Use of qualified non-personal use vehicles for commuting and other allowable authorized purposes is considered a working condition benefit and is not taxable to the employee. Non-personal use vehicles are defined by the IRS and include clearly marked police and fire vehicles and unmarked vehicles used by a law enforcement officer for officially authorized purposes.

Vehicles which are not designated for commuting status shall be kept on City premises during non-business hours and shall not be used for personal purposes.

37.04 SAFE DRIVING RECORD

Employees using a City vehicle will be subject to periodic driving record checks by the Bureau of Motor Vehicles at least annually. An employee convicted of a moving violation, an alcohol or drug related offense, or whose license is expired, suspended, or revoked and/or who is unable to obtain required endorsements must notify their department head immediately. The City's property and casualty insurer may determine, based on an employee's driving record, that the employee will no longer be covered under the City's insurance policy. If a non-CDL employee does not meet the City's insurer's standards, he/she may temporarily be placed in a non-driving capacity or may be terminated depending on the employee's position. A CDL driver may be subject to termination if he/she does not meet the City's insurer's standards. If having a driver's license is part of an employee's essential job function, and the employee's driver's license has not been reinstated within thirty (30) days, then the employee is subject to termination.

37.05 COMMERCIAL DRIVER'S LICENSE

Employees required to have a Commercial Driver's License (CDL) must comply with all Department of Transportation drug and alcohol testing procedures and the City's controlled substances policy for CDL drivers. Employees are responsible for keeping their CDL current. Loss of a CDL may result in termination of employment if one of the employee's primary job functions is driving a city-owned vehicle. If one of an employee's primary job functions is driving a vehicle that requires a CDL, and the CDL is suspended for a period not to exceed thirty days, an employee will be suspended from employment for the length of the CDL suspension. The employee may use accrued personal leave or vacation, but the remainder of the thirty-day period is unpaid. Loss of a CDL may result in termination of employment if one of the employee's primary job functions is driving a vehicle that requires a CDL and the license suspension is for more than thirty days, or regardless of the period of the suspension, if the CDL is suspended for a reason that constitutes a violation of City policy.

38.00 TRAVEL AND EXPENSE REIMBURSEMENT

City employees may be reimbursed for actual miles traveled in their own vehicles to carry out that employee's official City duties, responsibilities or activities, or to obtain approved training, at a rate per mile as fixed by the Board of Public Works and Safety. Reimbursed mileage shall not include travel to and from the employee's home and the governmental office in which he/she works.

When traveling outside the county on official City business, employees may be reimbursed for meals, lodging and other necessary travel expenses. The claim for reimbursement must be itemized and supported by receipts as required by the State Board of Accounts.

Provisions of the Fair Standards Labor Act (FLSA) determine whether time spent in travel counts as hours of work, depending upon the kind of travel involved. Examples of travel time are generally included in four scenarios: Home to Work on a Special One-Day Assignment in Another City; Home to Work Travel;

Travel that is All in a Day's Work; and Travel Away from Home Community. Employees may contact the Human Resources Director for questions pertaining to travel time compensation.

39.00 GRIEVANCE PROCEDURE

39.01 POLICY

The City of West Lafayette strives to provide prompt consideration and equitable resolution of employee grievances. It is the desire of the City of West Lafayette to resolve grievances informally whenever practicable. Both supervisors and employees are expected to make a good faith effort to resolve each situation as it arises.

Terminated employees are not eligible for the grievance procedure unless the grievance falls under EEOC, ADA or FMLA. If you believe that you have been terminated due to harassment and discrimination based on sex (with or without sexual conduct), race, color, religion, national origin, ancestry, age, handicap, disability, sexual orientation or protected activity (such as, opposition to prohibited discrimination or participation in the statutory complaint process) or for exercising a right under the FMLA, please refer to Appendix 2.

39.02 PROCEDURE

A grievance should be relayed by an employee to their immediate supervisor, in writing, within the working hours of the day that the event causing the grievance occurred. The supervisor will report the grievance to the department head and the Human Resources Director and will then attempt to resolve the grievance as soon as possible and will render their decision either orally or in writing to the aggrieved within twenty-four (24) hours.

Appeal to the department head: a grievance not resolved by the supervisor must be presented to the department head.

If the aggrieved employee presents the grievance to the department head, it must be in writing, signed and dated by the aggrieved and presented to the department head within two (2) working days of the decision rendered by the supervisor.

The department head will contact the Human Resources Director and will review the grievance and render their written decision to the aggrieved within three (3) working days.

Appeal to the Board of Public Works and Safety or the Board of Parks and Recreation: A grievance not resolved by the supervisor or department head must be written and submitted to the president of the appropriate board by the aggrieved. Grievances originating from the Clerk's Office shall be appealed to the City Council.

A. The written grievance must be signed and dated by the aggrieved and submitted to the appropriate board within two (2) working days of the decision rendered by the department head. A copy of the written grievance shall be delivered to the Human Resources Director.

B. The appropriate board shall review the grievance and render a written decision to the aggrieved within three (3) working days of the second regularly scheduled meeting of the appropriate board, following the submission of the grievance.

C. When resolution is reached, the supervisor or department head must document the resolution. Copies must be forwarded to all involved parties and the Human Resource Director.

40.00 DRUG-FREE WORKPLACE

The City of West Lafayette is committed to providing a drug-free workplace. In order to maintain the highest level of public confidence, safety and reputation of our working environment, the City will take all reasonable measures to ensure that drugs and alcohol do not jeopardize the safety of our operations or the quality of City services. The manufacture, sale, purchase, distribution, dispensation, possession, or illegal use of drugs or alcohol while on City premises, during working hours, including break and meal periods, while operating a City vehicle or while operating any other vehicle while on City business at any time is strictly prohibited. It is also a violation of City policy for an employee to report to work

under the influence of alcohol or illegal drugs. These actions constitute serious violations of the City policy and can create situations that are unsafe or that substantially interfere with job performance. If the City has a reasonable suspicion that an employee is under the influence of drugs and/or alcohol, the City will require the employee to undergo a drug and/or alcohol test. The City may also require a drug and/or alcohol test if an employee is involved in an accident at work or during work hours or in a City vehicle. Refusal of testing will result in termination of employment. A positive test result will result in disciplinary action up to and including termination, even for the first violation of this policy.

As a condition of employment with the City of West Lafayette, employees shall:

(i) abide by the terms of the City's Drug Free Workplace Policy; and

(ii) notify the Human Resources Director or the employee's department head of any criminal drug or alcohol statute conviction or guilty plea for a violation occurring in the workplace, during work hours or while operating or occupying a City vehicle or while operating any other vehicle while on City business no later than five (5) days after the conviction or guilty plea.

The City provides a confidential Employee Assistance Program ("EAP") for employees who desire counseling and/or rehabilitation services. Information regarding the City's EAP is available from the Human Resources Director.

City employees who are required to hold a commercial driver's license ("CDL") because of work they may be required to perform as City employees are subject to additional requirements mandated by the U.S. Department of Transportation. A separate policy addresses these additional requirements and will be provided to employees who hold CDLs.

41.00 DISCIPLINARY ACTION

41.01 POLICY

It shall be the duty of all employees to maintain high standards of cooperation, efficiency, economy and ethics in their work for the City of West Lafayette. The department head and/or supervisor shall organize and direct the work of their units to achieve these objectives.

Behavior that fails to meet the City's established standards of performance or conduct will be addressed promptly. Disciplinary action shall be determined by an employee's supervisors, based upon the totality of the circumstances, and shall be appropriate to the severity, frequency and consequences of the employee behavior. Severe offenses, particularly those that are illegal, unethical or dangerous, may warrant immediate suspension or termination.

41.02 DOCUMENTATION

All disciplinary action, including a verbal warning, shall be documented in writing and entered into the employee's official personnel file maintained by the Human Resources Department. In order to protect the employee's privacy, all written records shall be kept confidential, except as prescribed by law, and shall be accessible only to those in the direct chain of command, Human Resources, or others with a specific legal right to the information.

41.03 PROCEDURE

Whenever an employee's work habits, attitude, production or personal conduct falls below the prescribed standard, the department head or supervisor shall point out the deficiencies within a reasonable time after they are observed and remind the employee of the City's acceptable level of performance. A reasonable time to correct the deficiencies may be provided before disciplinary action is taken, depending on the severity of the deficiency.

Any of the offenses listed below may be sufficiently serious to warrant immediate termination. For these or any other infractions, supervisors and department heads shall administer appropriate discipline, which may include any or all the following: coaching

and counseling, verbal warning, written reprimand, probation, suspension, demotion or termination. Some incidents warrant immediate formal disciplinary action.

The below list is illustrative, not exhaustive.

41.04 GROUNDS FOR DISCIPLINARY ACTION (*including immediate termination*):

- a. Actions which discredit the City of West Lafayette or hinder the function of City government. Examples of this include, but are not limited to: unacceptable work performance, such as failure to follow operational procedures or other misconduct, inefficiency, neglect of duties, incompetence, insubordination, laziness, sleeping on the job or malfeasance;
- b. providing false or misleading information on the employment application or other employment record, including but not limited to time-keeping records;
- c. falsifying City documents or documents that an employee provides to the City;
- d. discourtesy to citizens or persons doing business with the City;
- e. unauthorized possession of firearms, knives, weapons, explosives and other dangerous or hazardous substances during work hours whether on or off City premises;
- f. violation of the City's attendance policy;
- g. reporting to work under the influence of alcohol or other intoxicants, illegal substances or drugs not prescribed by a practicing physician or dentist, or the use, possession, distribution, transfer or trafficking of these substances on the job, job site or during working hours, including when on break, whether on or off City premises or other violation of the City's Drug Free Workplace Policy;
- h. willful, reckless or careless misuse or abuse of City property;
- i. accidents in a city vehicle determined to be attributable to the driver as the direct result of recklessness, negligence, carelessness, or who openly displays a total disregard for the safe operation of the vehicle and its occupants, pleading guilty or no contest to a crime or being convicted of a crime while employed by the City that is reasonably related to City business, that occurs on City premises or that involves a City vehicle, including but not limited to driving under the influence or moving traffic violations, such as reckless driving or speeding while operating a City vehicle or while on City business;
- j. theft or other removal of City property without authorization;
- k. removal of articles of value without authorization of a property owner while performing City services;
- l. unauthorized use of equipment, willful damage of or tampering with equipment, unauthorized modification or alteration of equipment such as removal of safety guards or devices;
- m. verbal or physical assault by an employee on other City employees or citizens, including but not limited to threatening, intimidating, or harassing fellow employees or members of the public or other disorderly conduct that is a hindrance to the function of City services;
- n. verbally or physically refusing to perform assigned or directed work responsibilities;
- o. behavior which disrupts the work of others or which in any way contributes to a disharmonious or hostile work environment;
- p. engaging in or condoning racial, sexual or other harassment in the workplace or other violation of the City's Equal Employment Opportunity policy;
- q. excessive use of telephone, e-mail or Internet for personal reasons or otherwise conducting personal business during work hours;
- r. failure to work safely, including but not limited to failure to wear required personal protective equipment or other violations of the Safety Policy listed in this Personal Manual;
- s. working carelessly or otherwise not following safety procedures that result in personal injury to co-workers or damage to City property;

- t. failure to follow any other policy listed in this Personnel Manual.
The above shall not prohibit immediate formal disciplinary action, including discharge, whenever the interest of the City requires such action. The City's use of different types and levels of discipline does not alter the City's policy of employment at will. The City may terminate an individual's employment, or the individual may terminate their own employment, with or without cause and with or without notice, at any time.

42.00 EMPLOYEE CONFERENCES

Employee conferences shall be conducted and documented on at least an annual basis by the department head. At that time, discussions will focus on job performance, development opportunities, and define goals. Both the supervisor and the employee shall sign the document reflecting the conference. The signature only verifies the accuracy of the written description of the discussion and does not necessarily indicate agreement with the review. The original document shall be maintained in the Human Resources Department and shall only be viewed by the employee's immediate supervisor, department head and Mayor. If the employee is a Clerk's office employee, then the documentation of the employee conference shall only be viewed by the Clerk.

43.00 SEPARATION

Because City employees are at-will employees, their employment may be terminated at any time by either the City or the employee. Subject to the at-will provision, following are conditions relating to different types of employment separation:

43.01 RESIGNATION OR RETIREMENT

To resign in good standing, any employee should give at least fourteen (14) calendar days prior notice in writing to their supervisor. If an employee fails to give at least fourteen (14) days' notice, he/she will not be entitled to paid accrued vacation or sick leave upon resignation.

43.02 IMPLIED RESIGNATION

An employee who without valid reason fails to report to work or contact their department head for three (3) consecutive working days without authorization shall be considered as having resigned.

43.03 LAY-OFF

Any involuntary separation other than for disciplinary reasons such as a lack of available work and/or budget constraints, shall be considered a lay-off.

A. Factors that may be considered in determining order of layoff include performance history, skill level, length of service and attendance history (excluding leave under the FMLA).

B. Regular employees to be laid off shall be notified in writing by the supervisor at least fourteen (14) calendar days prior to the effective date of lay-off if feasible.

43.04 RESTRUCTURING

An employee's position is eliminated or significantly changed due to a restructuring within the employee's department. If possible, department heads will give at least fourteen (14) calendar days' notice before a position is eliminated. The City will make every effort to place employees affected by a restructuring in other available positions, although the City makes no guarantee a suitable position will be available.

43.05 DISABILITY

An employee is totally and permanently disabled and is unable to perform the essential functions of their job, despite reasonable accommodation. In such cases, an employee may be eligible for disability compensation through long-term disability insurance or the Indiana Public Retirement System (INPRS).

43.06 TERMINATION

An employee is discharged for failure to meet job requirements, for violation of the City's employment policies or work rules, or for any other lawful reason.

43.07 DEATH

When a regular employee dies, their estate shall be eligible to receive the earned salary and accrued vacation, payment for compensatory time, accrued clothing allowance, life insurance and sick leave due at the next pay period.

43.08 SEPARATION DATE

The official date of separation is always the last day actually worked, and benefits are calculated up to and including that date. If an employee is on leave when a resignation is tendered or an employee is involuntarily terminated, the effective date will be the date the City is notified of the intent to resign or the date of the termination. In no case can employment be extended by using paid or unpaid time off.

Employees will receive their final paycheck(s) via direct deposit into their bank account in accordance with applicable state law. Employee benefits will be affected by employment termination in the following manner.

All accrued, vested benefits that are due and payable at termination will be paid. Some benefits may be continued at the employee's expense if the employee chooses. The employee will be notified in writing regarding benefits that may be continued and of the terms, conditions, and limitations of such continuance.

43.09 EXIT PROCESS

An employee who separates from the City, for whatever reason, may be requested to complete an exit interview questionnaire sent to the employee by Human Resources. Additionally, the employee may be asked to voluntarily participate in an interview with a representative of the Human Resources Department on or before the last day of employment. The exit interview provides for the uniform treatment of departing employees. It is a vehicle to advise employees of their right of benefits, collect all City property, identify and resolve management problems and obtain data on separations as a basis for analyzing turnover.

If an employee moves after employment is terminated, they should provide the City with a current address so W-2 forms and other pertinent information can be properly and timely delivered. Employees maintain access to Munis Self Service (MSS) after termination of employment and may view W-2 forms and other information at:

<https://cityofwestlafayettein.munisselfservice.com/login.aspx>.

APPENDIX 1

COMPENSATORY TIME OFF AGREEMENT

Effective April 15, 1986, exempt and non-exempt employees may receive compensatory time off in lieu of monetary overtime compensation in accordance with Section 7(o) of the Fair Labor Standards Act ("FLSA"), and the terms of this Agreement. This Agreement is an express condition of employment. The compensatory time received may be preserved, used or cashed out consistent with §7(o) of the FLSA. This Agreement does not apply to elected officials and, unless compensatory time is authorized by the Mayor in writing, does not apply to department heads and deputy chiefs.

Each department head may set limits on the amount of compensatory time departmental employees can accrue, subject to the following limitations:

Compensatory time off for exempt and non-exempt employees shall be entitled to compensatory time on an hour-for-hour basis for each hour (or portion thereof) worked in excess of 37.5 but less than or equal to 40 in a work week.

Compensatory time off for non-exempt employees required to work beyond forty (40) hours per week, will be earned at the rate of one and one-half (1-1/2) times for each hour (or portion thereof) actually worked over forty (40) hours in an established workweek. Exempt employees will earn compensatory time on an hour-for-hour basis for each hour (or portion thereof) actually worked over forty (40) hours in a workweek. Exempt employees may accumulate up to 40 hours of compensatory time off. Exempt employees may not exceed, nor will they be compensated for additional hours in excess of the 40-hour maximum. Any unused compensatory time exceeding 40 hours by an exempt employee will be forfeited.

Non-exempt employees may accumulate up to 80 hours of compensatory time off. Non-exempt employees will receive monetary compensation at one and one-half (1 ½) times their regular pay rate at the time of payment for any additional overtime hours. A department head or elected official can elect to pay off all or a portion of the accrued compensatory time anytime during the calendar year.

All accrued compensatory time should be used by the end of the year in which it is accrued. An exception may be made for hours accrued in the final quarter of a year, which should be used in the first quarter of the following year. Accrued time that is not used by a non-exempt employee by year end shall be paid unless budget constraints prohibit such payment, in which case it will be carried over to the immediately following year as an exception to the above terms and conditions.

All overtime work that exceeds the employee's regularly scheduled work week must be approved in advance by the employee's supervisor or department head prior to working overtime, except in an emergency. Unauthorized overtime work may lead to disciplinary action, up to and including termination. Holiday, jury duty, and military leaves will be considered hours worked for the computation of compensatory time. However, the maximum hours of work credited per day cannot exceed the hours in an employee's regularly scheduled workday. Other absences, including vacation, sick leave, personal days, bereavement leave, or any other leave of absence shall not be considered hours worked for the computation of compensatory time off. Accrued vacation and sick leave cannot be converted to compensatory time off.

You may use earned compensatory time off with the approval of your supervisor. Your request for compensatory time off will be granted within a reasonable period, unless the requested time off would unduly disrupt operations. You will receive compensation based on your regular pay rate in effect when the compensatory time off is actually taken.

The City of West Lafayette may elect to substitute monetary overtime for earned compensatory time off, either at the time overtime is actually worked or in any later period. Monetary

overtime compensation will be based on your regular pay rate at the time of payment.

The City of West Lafayette may also elect to apply earned compensatory time off to hours you have missed due to personal absence, short workweeks, layoffs, or leaves of absence, including medical leaves if not covered by paid sick days, disability pay, etc., but excluding leave under the Family and Medical Leave Act. In periods of slack work, it may be necessary to schedule time off, to which earned compensatory time off will be applied.

In the event you leave employment for any reason, you will be paid for earned compensatory time off at your final regular rate of pay, or your average rate during the last three years of employment, whichever is higher.

This Agreement is intended only to set forth our understanding concerning your compensatory time and overtime compensation; it does not constitute an employment agreement or an employment contract. Either you or the City of West Lafayette may terminate your employment at any time and for any lawful reason. In such case, final compensation will be provided for all work actually performed on or before the next regular pay date following termination.

The City of West Lafayette will presume your agreement with and understanding of this condition of employment unless you express your unwillingness to accept compensatory time off in lieu of overtime compensation to the Human Resources Director.

APPENDIX 2

WORKPLACE HARASSMENT POLICY AND COMPLAINT PROCEDURE

It is the policy of the City of West Lafayette that the following types of harassment and discrimination against employees and members of the public are prohibited and will not be tolerated: harassment and discrimination based on race/color, religion, sex (including pregnancy), age, disability, family or parental status, marital status, sexual orientation, gender identity and/or expression, national origin/ancestry, genetic information, or past or present military service, or protected activity (such as, opposition to prohibited discrimination or participation in the statutory complaint process). Prohibited harassment and discrimination demean individual dignity and lower the productivity of the City's workforce in serving the public and is in violation of long-standing policy of the City. This policy covers prohibited harassment and discrimination by anyone in the workplace—supervisors, co-workers, and non-employees.

Responsibility

No employee of the City shall engage in harassment or discrimination based on race/color, religion, sex (including pregnancy) age, disability, family or parental status, marital status, sexual orientation, gender identity and/or expression, national origin/ancestry, genetic information, or present military service, or protected activity (such as, opposition to prohibited discrimination or participation in the statutory complaint process). It is the special responsibility of department heads to ensure that this prohibited harassment or discrimination does not occur and to make it known that prohibited harassment and discrimination are not tolerated in their respective departments.

Employees are subject to this policy while on City premises or acting as City representatives on any occasion. This policy forbids prohibited harassment and discrimination of other employees or any members of the public or other persons with whom the employee has contact in the course of employment.

Prohibited Conduct

A. Discrimination and Harassment

Examples of harassment and discrimination based upon race, color, sex, religion, national origin, ancestry, age, handicap, disability, sexual orientation and protected activity (such as, opposition to prohibited discrimination or participation in the statutory complaint process), may include but are not limited to:

1. A pattern of conduct which has the intent or effect of discomforting or humiliating that may include any of the following: (a) comments regarding sex, race, age, color, religion, national origin, ancestry, handicap, disability, sexual orientation and protected activity (such as, opposition to prohibited discrimination or participation in the statutory complaint process), (b) questions, jokes or anecdotes regarding sex, race, age, color, religion, national origin, ancestry, handicap, disability, sexual orientation and protected activity (such as, opposition to prohibited discrimination or participation in the statutory complaint process), (c) stereotyping based upon sex, race, color, religion, national origin, ancestry, age, handicap, disability or sexual orientation, or (d) remarks about sex, race, color, religion, national origin, ancestry, age, handicap, disability, sexual orientation and protected activity (such as, opposition to prohibited discrimination or participation in the statutory complaint process).
2. Displays of materials, such as pictures, posters or cartoons, which have the effect of creating a hostile environment based upon sex, race, color, religion, national origin, ancestry, age, handicap, disability or sexual orientation.
3. Discrimination or unfair treatment because of sex, race, age, color, religion, national origin, ancestry, handicap, disability, sexual orientation and protected activity (such as, opposition to prohibited discrimination or participation in the statutory complaint process) in hiring, firing, pay promotion, benefits, working environment or any other job aspect or employment decision.
4. Sexual harassment is one type of sex discrimination. (See "B".)

The existence of all types of prohibited harassment and discrimination, particularly the creation of a "hostile environment", is judged based upon the perception of a reasonable person, as well as the subjective perception of the victim. As an employee or a supervisor, you should be sensitive to whether any behavior is causing discomfort to another person, whether intended or not.

B. Sexual Harassment

Examples of sexual harassment include but are not limited to, sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

1. Submitting to the conduct is an explicit or implicit condition of employment, promotion or advancement or avoiding adverse action or the receipt of City services; or
2. The conduct has the purpose or effect of substantially interfering with an individual's employment or creating an intimidating or hostile or offensive environment for the individual's employment or receipt of City services.

The following are examples of conduct that may constitute sexual harassment:

- a. Physical assault.
- b. Direct propositions of a sexual nature.
- c. Direct or implied threats that submission to sexual advances will be a condition of employment, promotion, advancement or avoiding adverse action.
- d. Unwelcome attention, which is reasonably perceived to be pressure for sexual activity, such as repeated and unwanted staring or comments with sexual overtones.
- e. A pattern of conduct which has the intent or effect of discomforting or humiliating that includes any of the following: (1) comments of a sexual nature, (2) sexually explicit statements, questions, jokes or anecdotes, (3) gender stereotyping, (4) remarks about sexual activities, or (5) unnecessary touching, patting, hugging or brushing against a person's body.
- f. Displays of sexual materials, such as pictures, posters or cartoons, which have the effect of creating a hostile environment.

Amorous or sexual relationships, sexual activity of any kind and requests for sexual activity of any kind, even those that are allegedly "consenting", between any management employee and any person over whom he/she has any degree of power or authority, are prohibited.

Complaint Procedure

Employees, or members of the public in the case of discrimination in the provision of City services, are strongly encouraged to rely on this policy and the commitment of the City that prohibited harassment and discrimination will not be tolerated.

All employees or members of the public who believe that they have been harassed or discriminated against in any manner because of race, religion, color, sex (including sexual harassment), age, national origin, ancestry, handicap, disability, sexual orientation or protected activity are strongly encouraged to use this procedure. Additionally, all employees who believe that they have been denied an Equal Employment Opportunity (i.e. hiring, firing, lay-off, pay, promotion, benefits, working atmosphere, and any other term, condition, or privilege of employment) in any manner because of race, religion, color, sex (including sexual harassment), age, national origin, ancestry, handicap, disability or sexual orientation are strongly encouraged to use this procedure. Employees or members of the public who believe that they have been discriminated against in violation of the Americans with Disabilities Act and employees who believe their rights under the Family and Medical Leave Act have been interfered with may also use this procedure.

If you are an employee and you believe you have been harassed or discriminated against as described in this policy, you should contact your supervisor as soon as possible. If you believe your supervisor is involved with or engaging in the harassment or discrimination, or if for any other reason you are uncomfortable talking to your

supervisor, you may contact the City's Director of Human Resources, Diane Foster at 775-5108 or your department head.

All supervisors who receive complaints of harassment or discrimination or are otherwise aware of harassment or discrimination must immediately report the complaints of harassment or discrimination to the City's Human Resources Director, Diane Foster.

Complaints of harassment and discrimination may be brought by any employee as outlined above. Employees are encouraged to report harassment before it becomes severe or pervasive. The City is committed to preventing harassment and stopping it before it reaches this level.

Any member of the public may report prohibited harassment or discrimination to a department head or the Mayor.

All complaints by employees and members of the public regarding harassment and discrimination will be investigated promptly, thoroughly and impartially in accordance with the City's procedure. The City will protect the confidentiality of allegations of harassment and discrimination to the extent possible.

Employees or members of the public who make complaints of harassment or discrimination or provide information related to such complaints will be protected against retaliation. The City will not tolerate adverse treatment of employees or members of the public because they report harassment or discrimination or provide information related to such complaints.

Employees who feel that they have been harassed or discriminated against on the basis of race, religion, color, sex (including sexual harassment), age, national origin, ancestry, handicap, disability, or protected activity should also be aware that they have the right to file charges of unlawful harassment or discrimination with the EEOC or Indiana Civil Rights Commission. The deadline for filing a complaint of discrimination with the Indiana Civil Rights Commission is 180 days from the date of unlawful harassment or discrimination, and the deadline for filing a charge of discrimination with the EEOC is in some instances 180 days and in some instances 300 days from the date of unlawful harassment or discrimination, NOT from the date that the complaint to the employer is resolved. You should contact the Indiana Civil Rights Commission and the EEOC to ensure you meet the correct deadline. Although the City intends to fully, promptly and impartially investigate all complaints of harassment and discrimination, employees are not required to wait until the City has completed its investigation to file a charge of discrimination with the EEOC or Indiana Civil Rights Commission.

Employee Discipline

A person directly involved in prohibited harassment or discrimination as described in this policy will be subject to discipline up to and including termination. Any supervisor who knows or reasonably should know that prohibited harassment or discrimination is occurring and fails to act reasonably to halt or prevent the harassment or discrimination will be subject to discipline up to and including termination. All employees, and especially supervisory personnel, have a responsibility to assure that employees and members of the public are not subjected to prohibited harassment or discrimination of any nature by a City employee, including the existence of a "hostile environment."

Making charges of harassment or discrimination that are knowingly or intentionally false may be the basis for discipline.

APPENDIX 3

Permissible Deductions for Salaried Employees

The Fair Labor Standards Act (FLSA) is a federal law which requires that most employees in the United States be paid at least the federal minimum wage for all hours worked and receive overtime pay at time and one-half the regular rate of pay for all hours worked over 40 hours in a workweek.

However, Section 13(a)(1) of the FLSA provides an exemption from both minimum wage and overtime pay for employees employed as bona fide executive, administrative, professional and outside sales employees. Section 13(a)(1) and Section 13(a)(17) also exempt certain computer employees. To qualify for exemption, employees generally must meet certain tests regarding their job duties and be paid on a salary basis at not less than \$684 per week. Job titles do not determine exempt status. In order for an exemption to apply, an employee's specific job duties and salary must meet all the requirements of the Department's regulations.

Salary Basis Requirement

To qualify for exemption, employees generally must be paid at not less than \$684 per week on a salary basis. These salary requirements do not apply to outside sales employees, teachers, and employees practicing law or medicine. Exempt computer employees may be paid at least \$684 on a salary basis or on an hourly basis at a rate not less than \$27.63 an hour. Being paid on a "salary basis" means an employee regularly receives a predetermined amount of compensation each pay period on a weekly, or less frequent, basis. The predetermined amount cannot be reduced because of variations in the quality or quantity of the employee's work. Subject to exceptions listed below, an exempt employee must receive the full salary for any workweek in which the employee performs any work, regardless of the number of days or hours worked. Exempt employees do not need to be paid for any workweek in which they perform no work. If the employer makes deductions from an employee's predetermined salary, i.e., because of the operating requirements of the business, that employee is not paid on a "salary basis." If the employee is ready, willing and able to work, deductions may not be made for time when work is not available.

Circumstances in Which the Employer May Make Deductions from Pay

Deductions from pay are permissible when an exempt employee: is absent from work for one or more full days for personal reasons other than sickness or disability; for absences of one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness; to offset amounts employees receive as jury or witness fees, or for military pay; or, for unpaid disciplinary suspensions of one or more full days imposed in good faith pursuant to the City's disciplinary policies. Also, an employer is not required to pay the full salary in the initial or terminal week of employment; for penalties imposed in good faith for infractions of safety rules of major significance; or, for weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act. In these circumstances, either partial day or full day deductions may be made.

City Policy

It is the City's policy to comply with the salary basis requirements of the FLSA. Therefore, the City prohibits all supervisors and department heads from making any improper deductions from the salaries of exempt employees. The City wants employees to be aware of this policy and that the City does not allow deductions that violate the FLSA.

What to Do If an Improper Deduction Occurs

If you believe that an improper deduction has been made to your salary, you should immediately report this information to the Human Resources Director who shall in turn report it to the Finance Department.

Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be promptly reimbursed for any improper deduction made.

APPENDIX 4

CODE OF ETHICS

Introduction

No Employee, Elected Official or Officer (referred to collectively in this policy as “Employees”) shall accept any goods, services, or other thing of monetary value from any Person seeking special considerations or influence as to any action by the City or any of its Agencies, Employees, Elected Officials or Officers in their official capacity. Likewise, no Employee shall accept or be influenced by any family member or friend receiving any goods, services or things of monetary value from anyone for the purpose of rendering special consideration or influence. The employee should make this stance clear to family and friends should the situation arise.

However, nothing in this policy prohibits the receipt of political or other contributions that are lawful and are reported in accordance with Indiana law and/or are accepted by an authorized individual on behalf of the City or an Agency.

- *Elected Official means the City’s duly elected Mayor, City Clerk, and Common Council members.*
- *Employee means any individual, other than an Elected Official, who is employed by the City.*
- *Agency means every department, office, Board, commission, committee, or other internal division or group of the City.*

Gifts or Honoraria

Employees shall not accept gifts or honoraria from any entity or individual doing or seeking to do business with the City, even if otherwise acceptable under the introduction of this policy, if they individually, or in total, exceed the value of One Hundred and no/100 dollars (\$100.00) in any calendar year, unless an exception is approved by the Mayor in writing.

- *Gifts or Honoraria* means money or other property that is given to an Employee without reasonable value being provided in exchange. This includes not only “outright” gifts, but an item sold at materially lower-than-market price.
- *Monetary Value* means any money, thing of value, service or economic benefit conferred upon or received by any Employee from any Person (except the City or an Agency in its capacity as the individual’s employer) in return for services rendered or to be rendered.

Gifts and honoraria do NOT include the following:

1. Food or drink consumed by an Employee, or a member of their immediate family in connection with official City business or at public ceremonies, at a convention, reception or gathering of other public officials and/or municipal employees;
2. Reasonable travel or other expenses paid or reimbursed as a result of speaking engagements, educational training or personal appearances made by virtue of an Employee’s position or duties;
3. An award, plaque, certificate, or similar personalized memento given in recognition of the Employee’s public civic, charitable, or professional service;
4. An honorary membership in a service or fraternal organizational presented merely as a courtesy by such organization;
5. The use of a public facility or public property, made available by a governmental agency, for a public purpose;
6. Invitations or tickets to political fundraisers, non-profit events, or governmental events for use by the Employee and their immediate family;
7. Discounts also given to members of a particular class of individuals irrespective of employment with the City of

West Lafayette (e.g., public service discounts, public safety discounts); or

8. Mementos or souvenirs of nominal value received at public ceremonies while conducting official City business; or
9. Door prizes given in connection with a City-approved training, City-sponsored events, or celebrations.

Improper Use of Official Position

No Employee shall use or permit the use of their official position, or funds or property under their official control, direction or custody, for a purpose that is primarily for the private benefit of the Employee, for the private benefit of any family member, partner, friend, or other individual.

However, nothing in this policy shall prohibit the private use of property that is available on equal terms to members of the public generally (e.g., library books or golf courses), the use of property in harmony with City policy in the conduct of official business, the use of vehicles or other equipment by off-duty Employees in compliance with departmental rules, and/or the employment of any Employee.

- The “use-of” or “borrowing-of” or “taking-of” city equipment (or materials and inventory for personal reasons or gain is strictly prohibited. This applies to all Employees regardless of position or appointment.

Nepotism

To comply with the provisions of IC 36-1-20.2, *et seq.* and 36-1-21, *et seq.* and Ordinance 15012 (Amended), the City does not employ individuals related by blood, adoption, or marriage (including step relationships) in any capacity where (1) a relative is supervised by or within the chain of command of another, or (2) one relative indirectly reports to the other or one relative has effective input into decisions concerning the terms and conditions of the other’s employment.

This includes a spouse; parent or step-parent; child, step-child, adopted child, or child-in-law; sibling (including step- and half-siblings); niece, nephew, aunt, uncle; or other relations that may adversely affect any employee or the City’s interests in any manner.

Conflict of Interest

The City’s reputation is a direct reflection of the business conduct of all Employees. To protect and enhance the City’s reputation, all Employees must be guided by the highest standard of conduct in their business contacts and relationships. It is important to avoid not only any situation that is an obvious conflict of interest, but also any situation that would constitute a conflict of interest under Indiana Code 35-44-1-3 or that might give the appearance of being a conflict of interest.

If an Employee or a member of the Employee’s Immediate Family has a Material Financial Interest in, or derives a profit from an entity, or has a substantial investment or connection to entity, that might benefit from their employment dealings with the City, the Employee must file a Conflict of Interest Disclosure with the City’s Clerk for processing.

- *Material Financial Interest* means ownership of a Business Entity.
- *Business Entity* means a sole proprietorship, partnership, unincorporated association, trust, firm, corporation and/or limited liability company.

Federal Fund Sub Recipient (per INDOT)

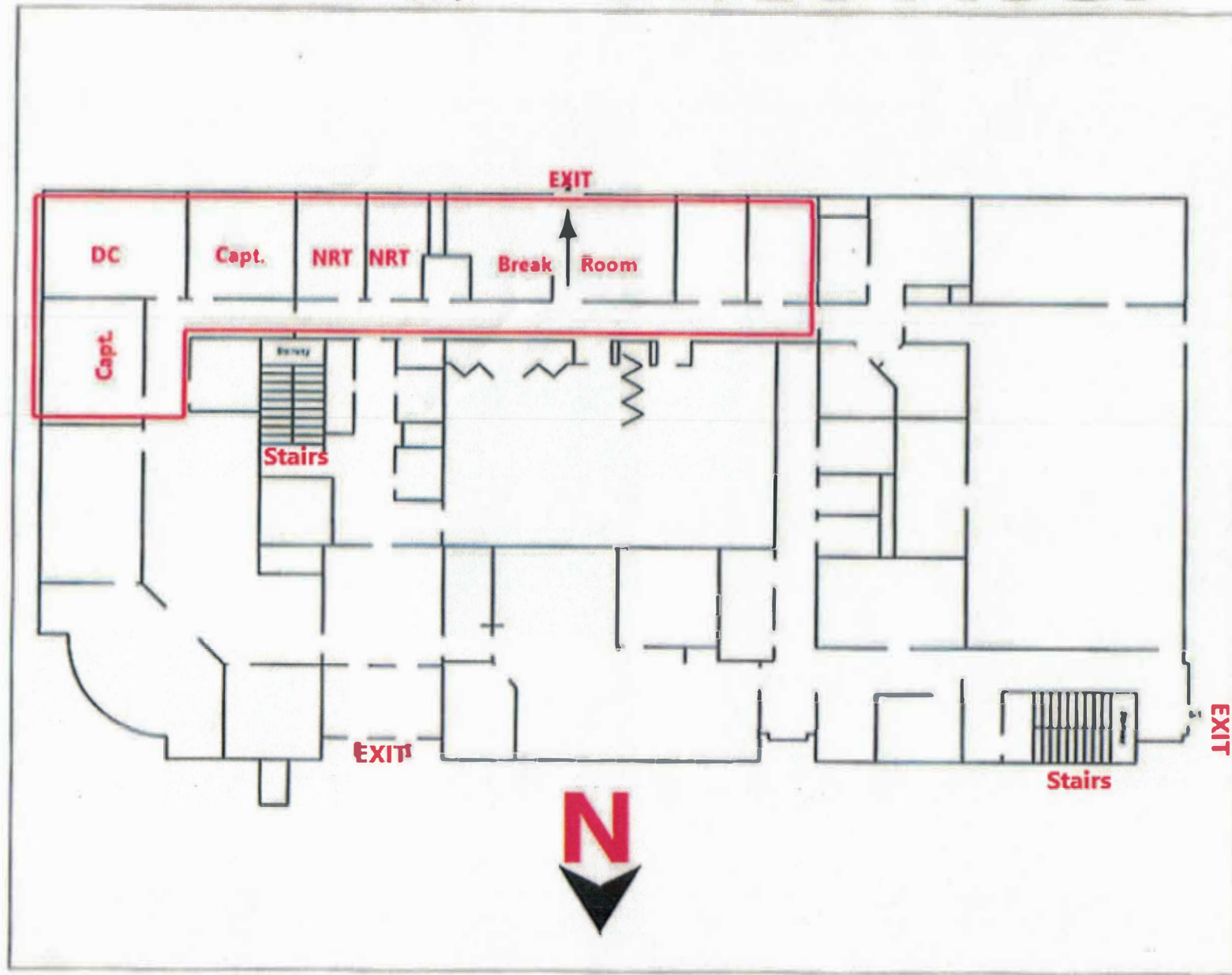
The City of West Lafayette is considered a local government who receives federal transportation funds and it is a federal fund sub recipient of INDOT. Per Indiana Department of Transportation (INDOT) Professional Services Contract Administration Manual (June 2016) sub recipients are prohibited from participating in selection, or in the award or administration of a contract supported

by federal funds if a conflict of interest, real or apparent, would be involved per INDOT, Chapter 2, Code of Ethics which states:

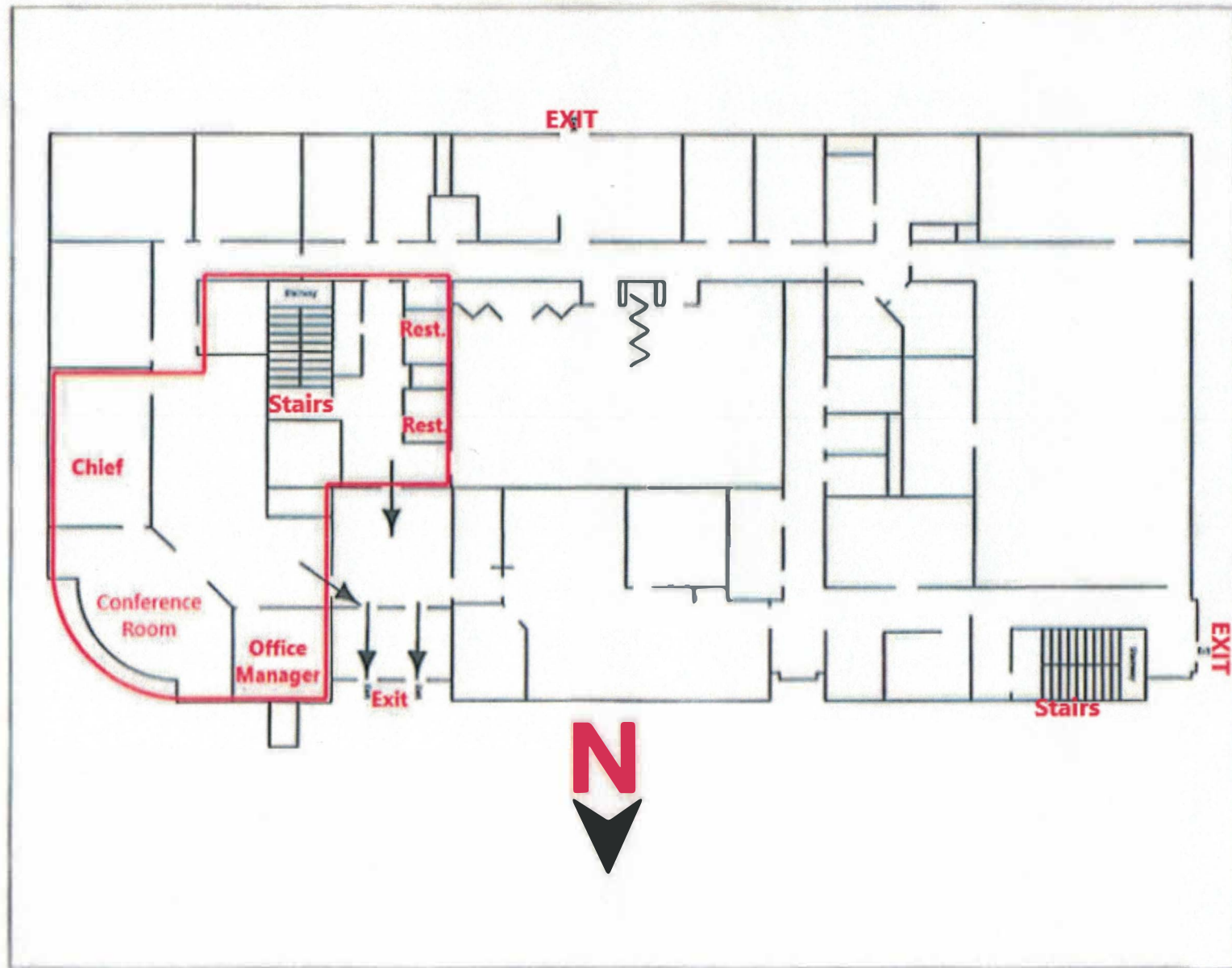
- *Prohibits employees from participating in decision making in circumstances where the employee, officer or agent, employee's partner, family member or an organization that employs or is about to employ any of the listed would have a potential financial interest in the outcome.*
- *Consider the interest of the state and INDOT when contracting for professional services.*
- *Seek to obtain the maximum value for each dollar spent for professional services.*
- *Request removal from any situation in which a personal relationship may affect judgment in selection, administration or performance evaluation activities.*
- *Avoid unnecessary sharing of internal INDOT information, including project or program information that may result in giving a competitive advantage to a select firm or firms.*
- *Those who select, aware or administer a contract accept nothing of monetary value from consultants, potential consultants, or parties to sub agreements, which include lunches, dinners, tickets to events, etc. (mementos or souvenirs of nominal value may be accepted).*

Fire Escape Routes (1).pdf

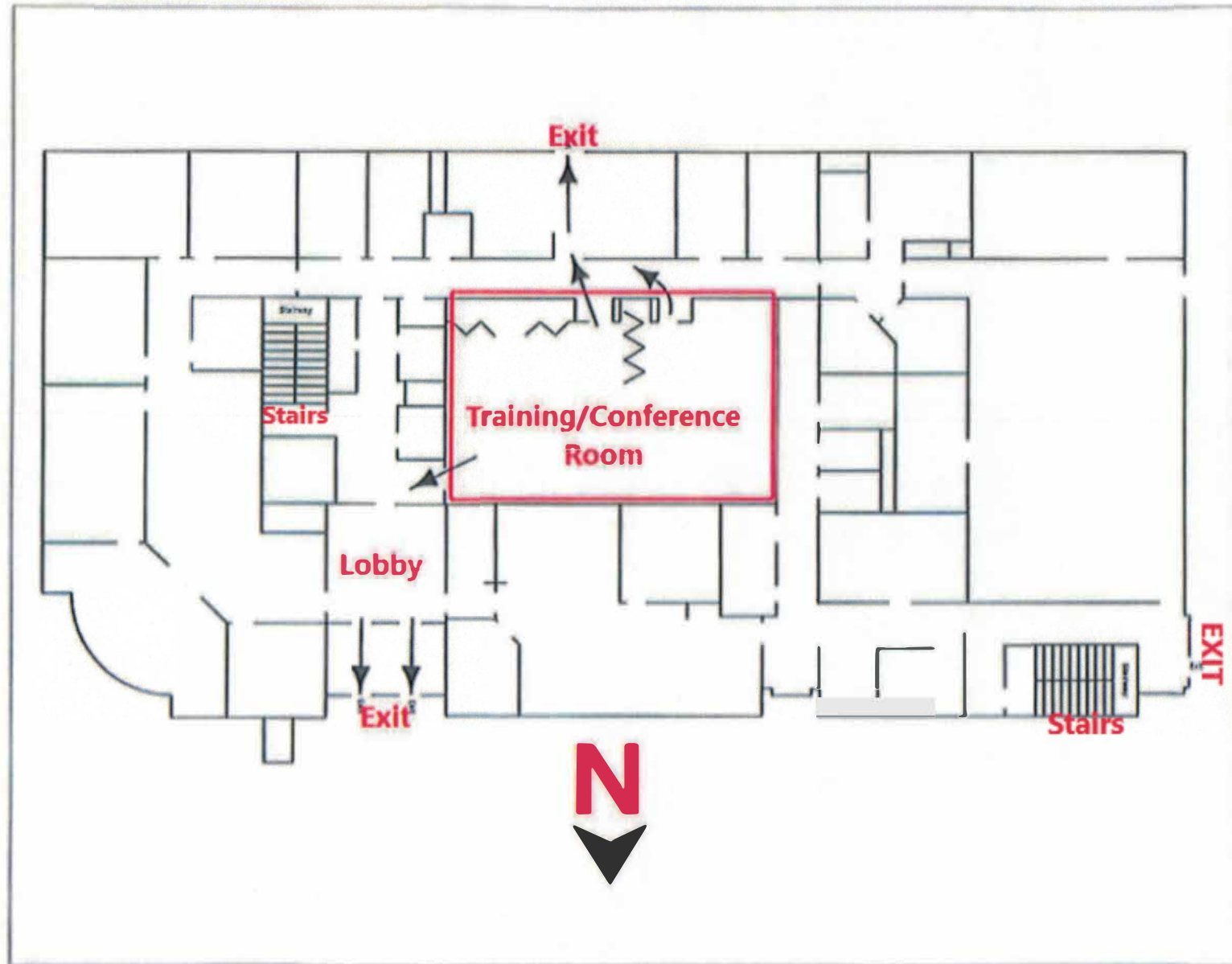
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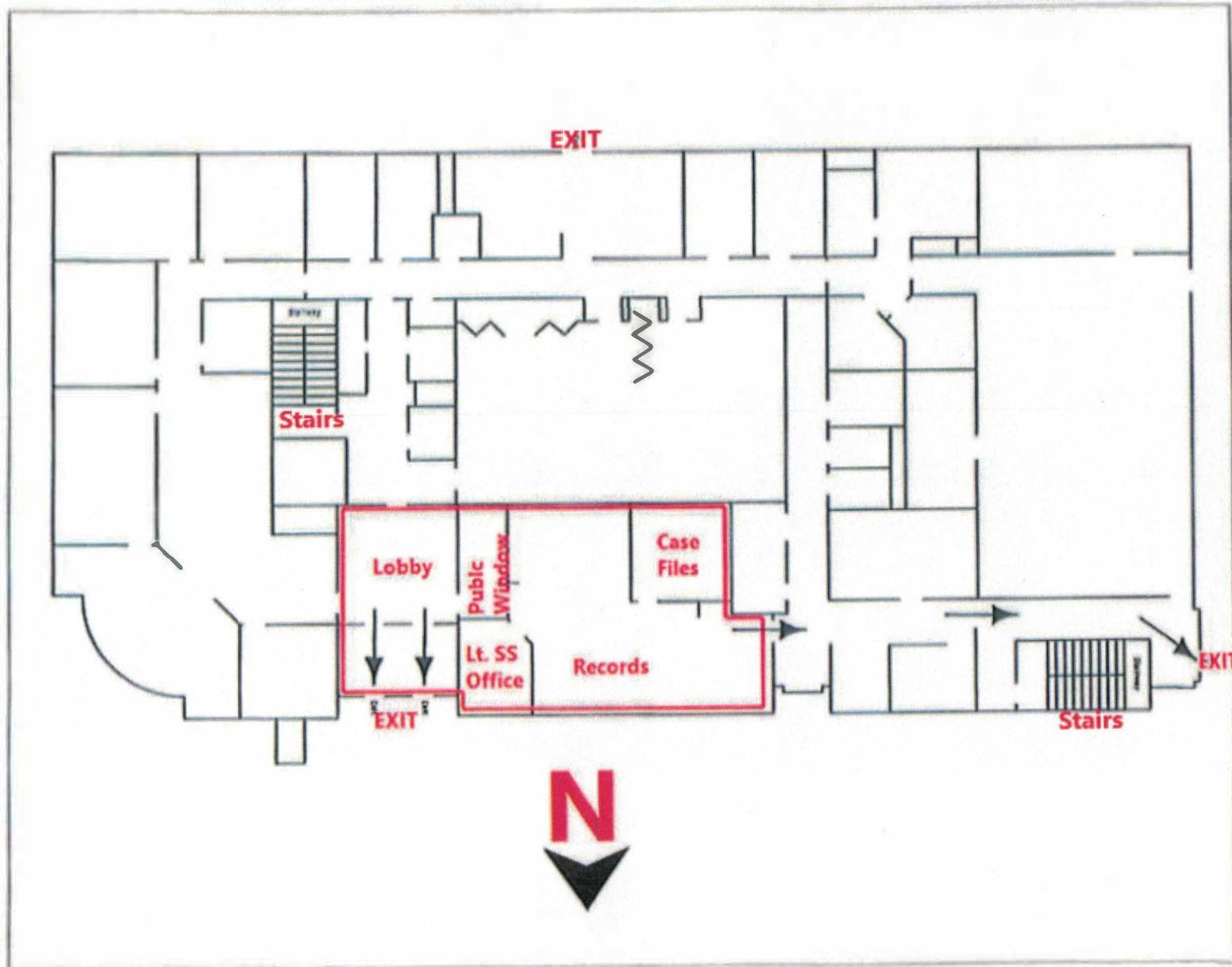
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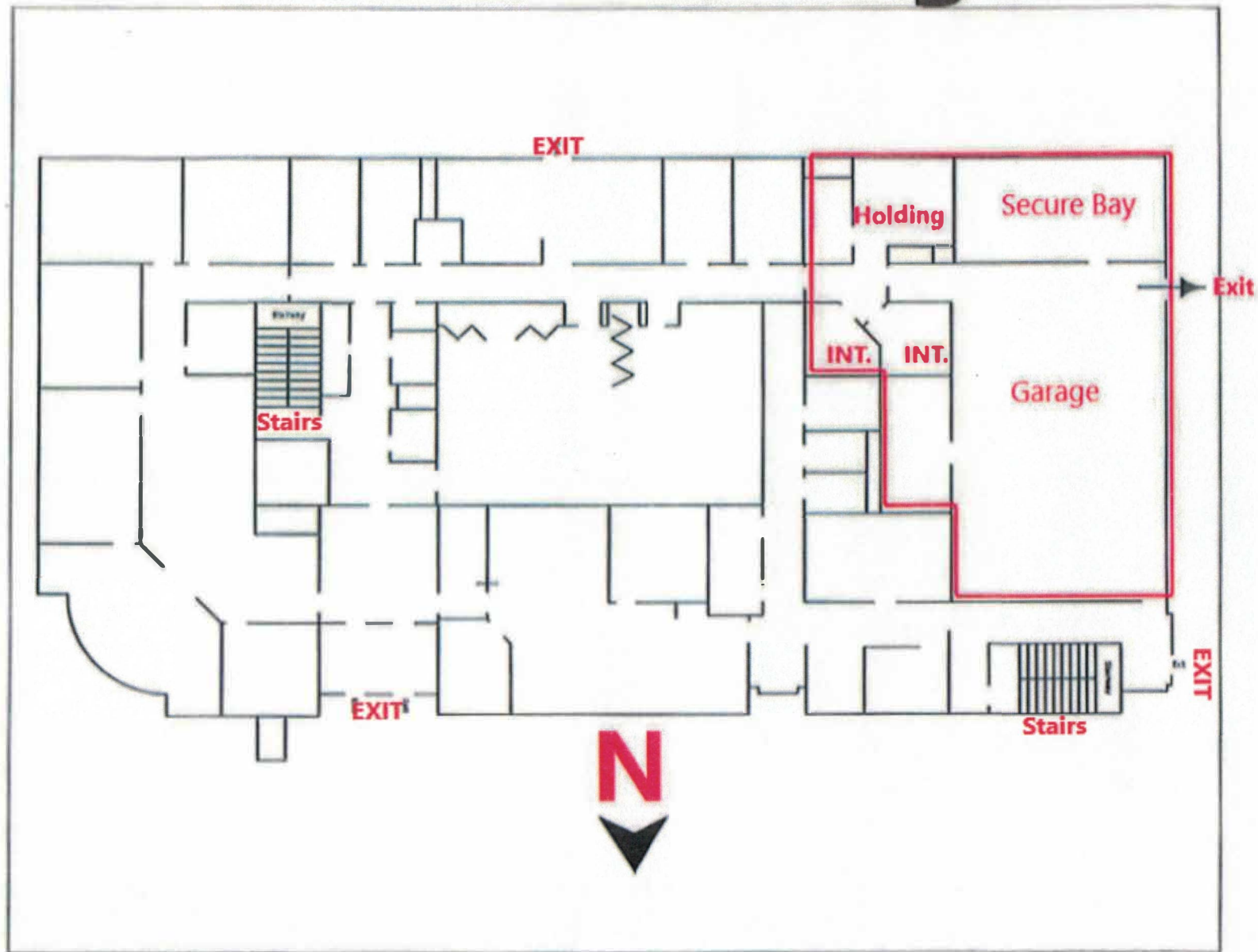
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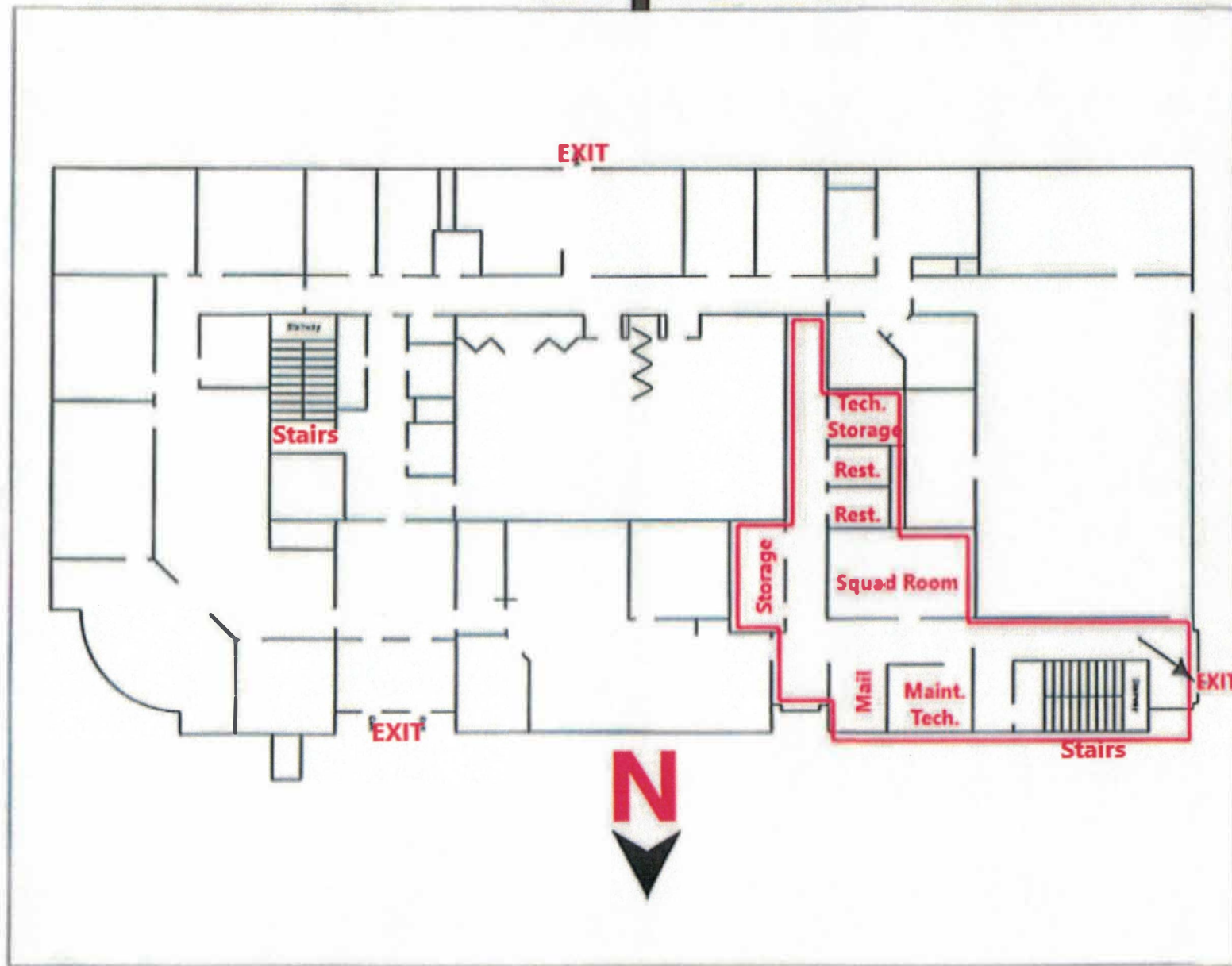
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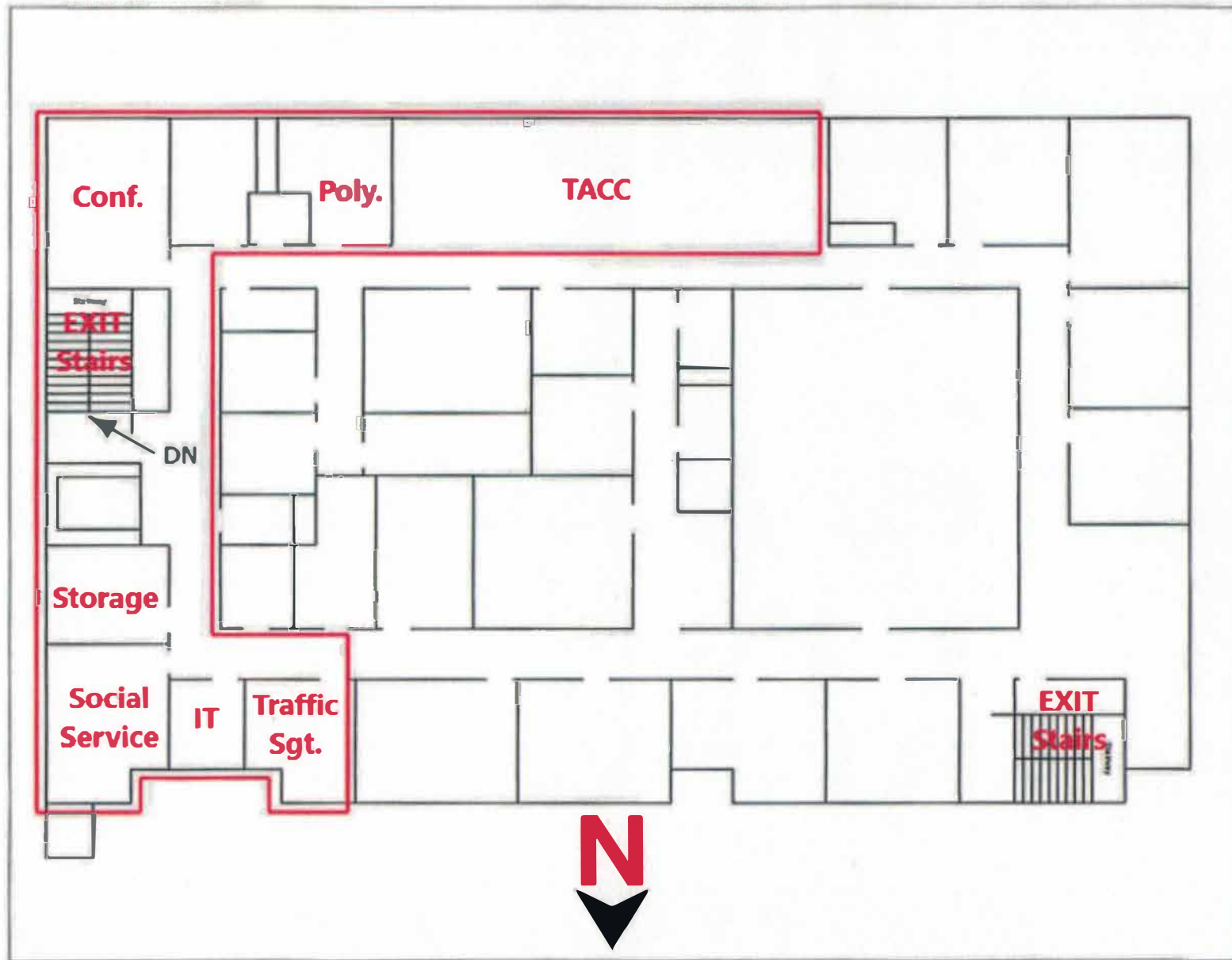
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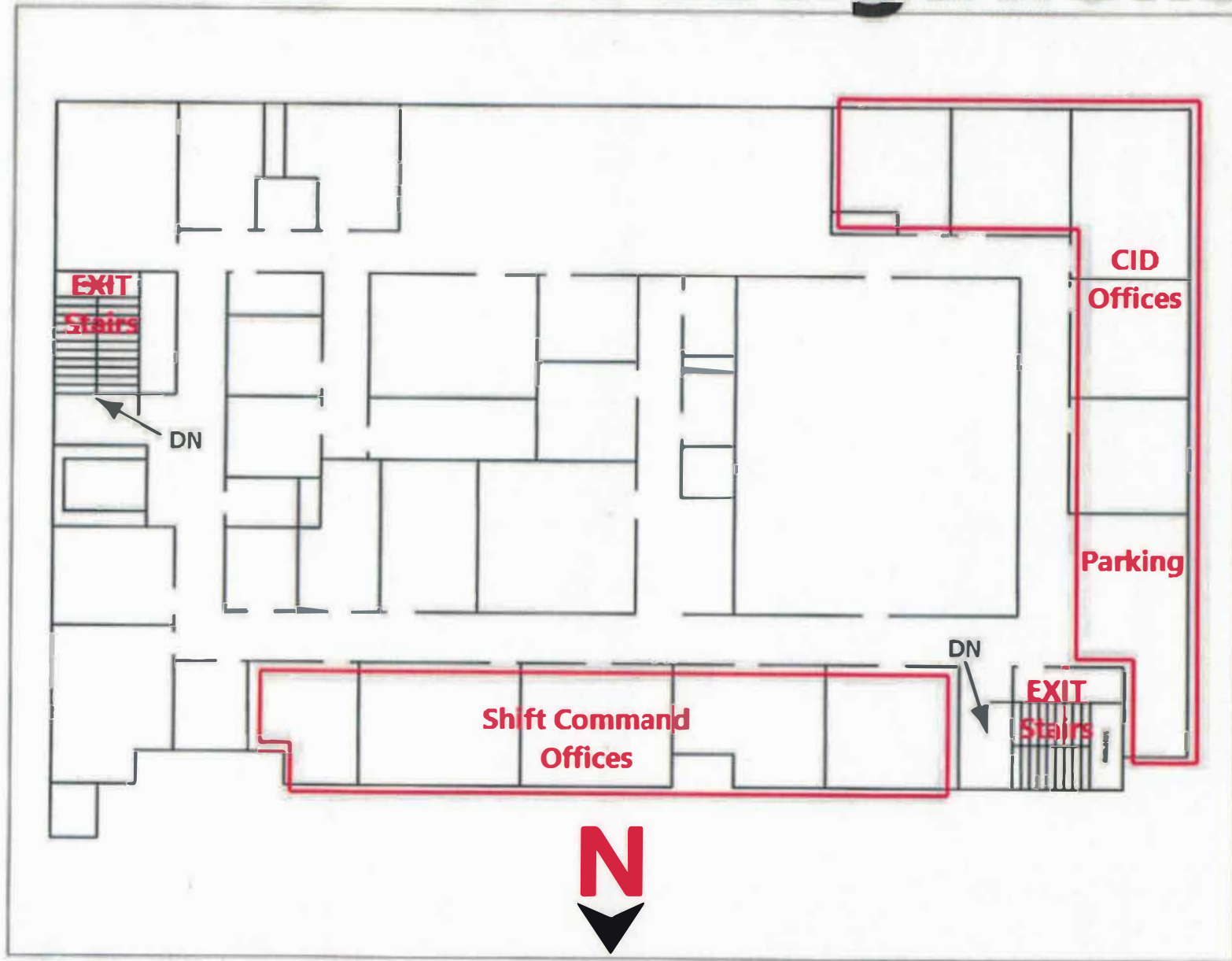
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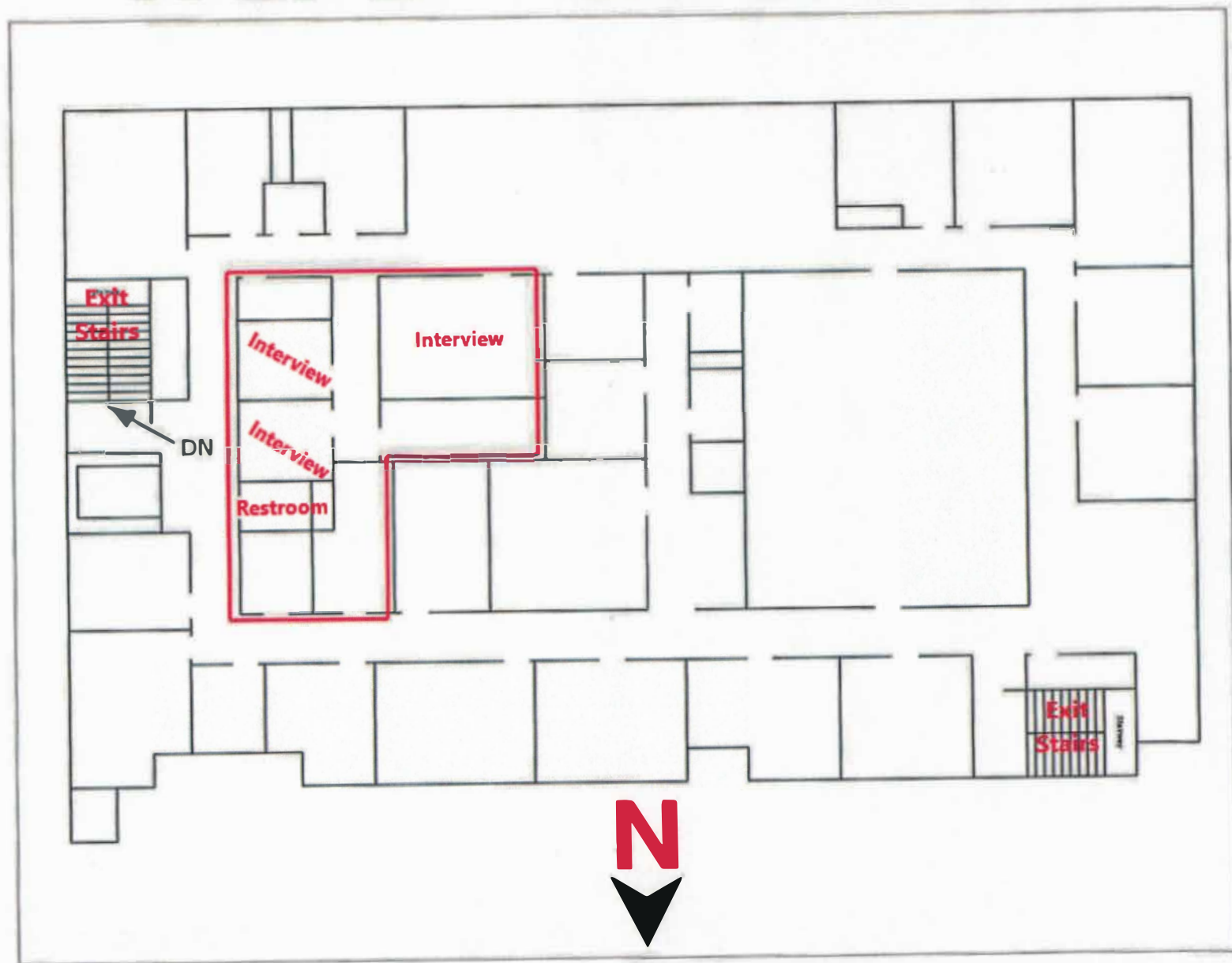
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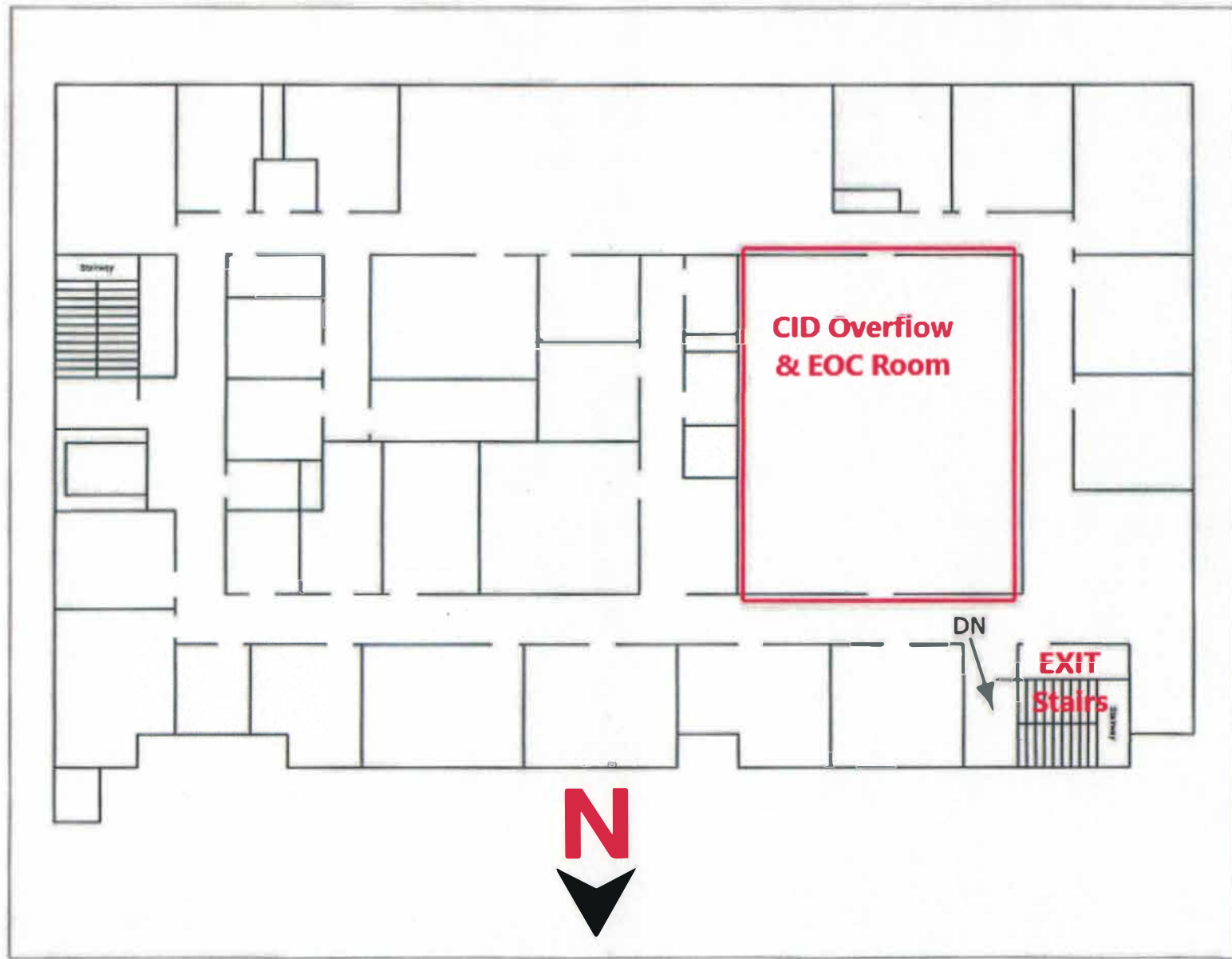
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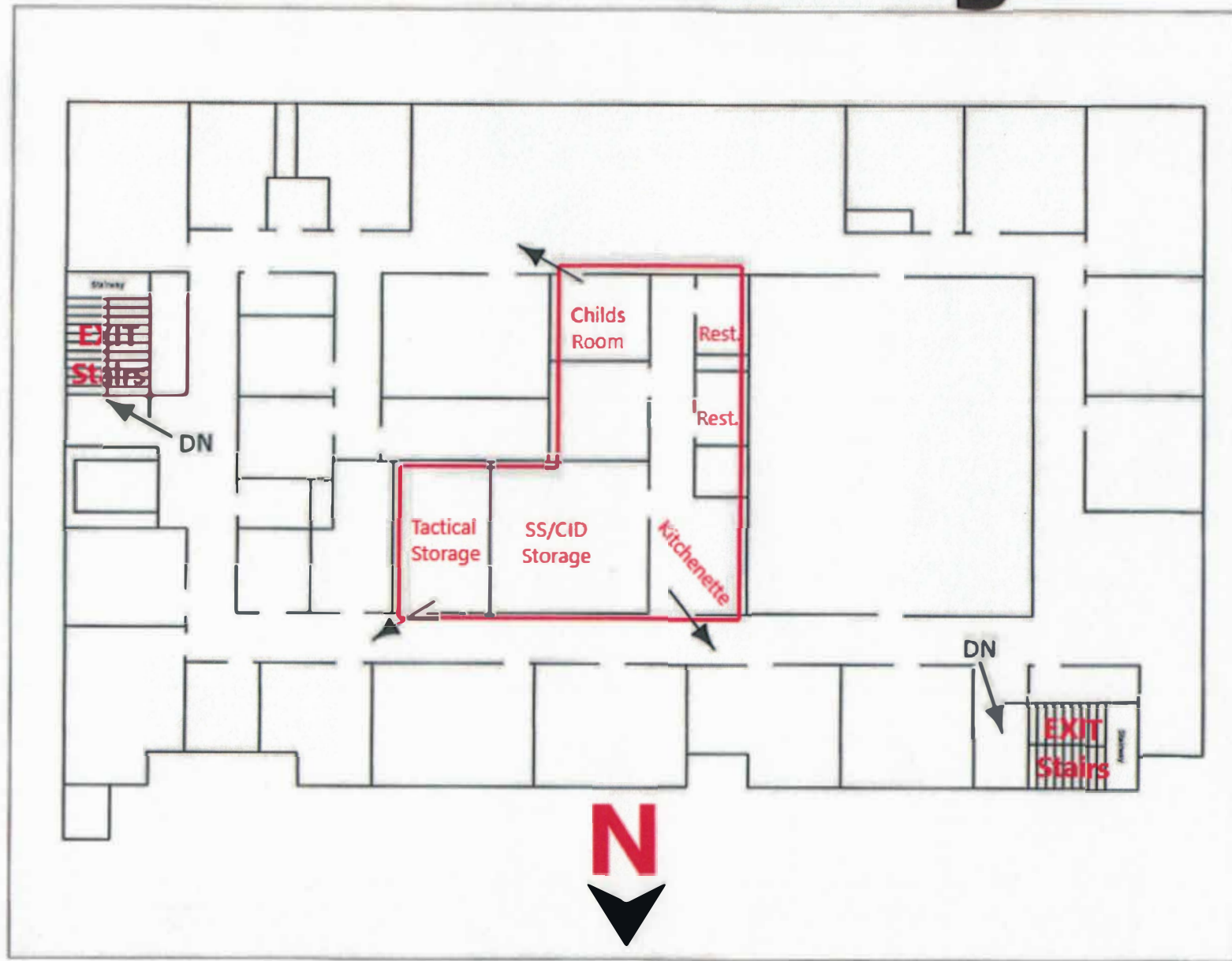
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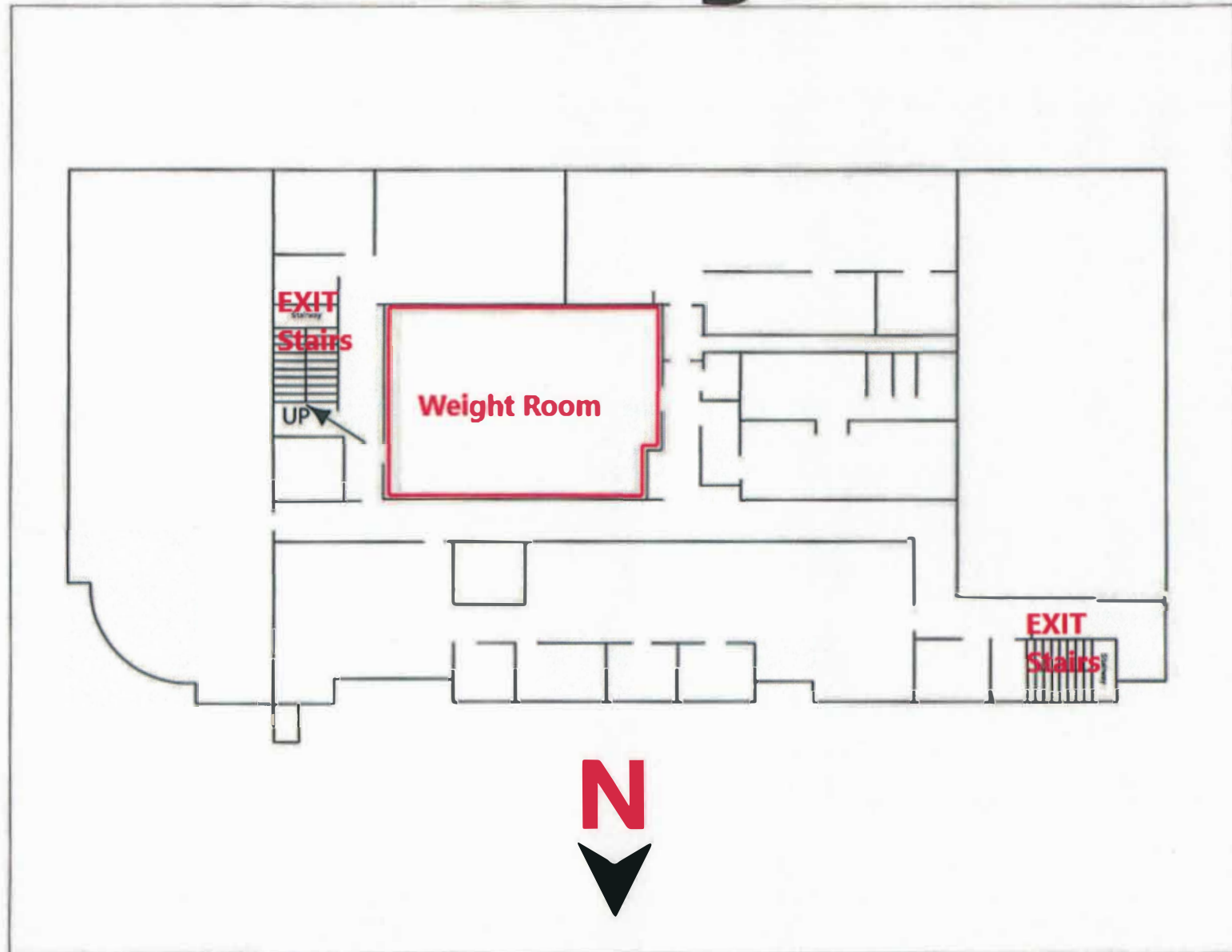
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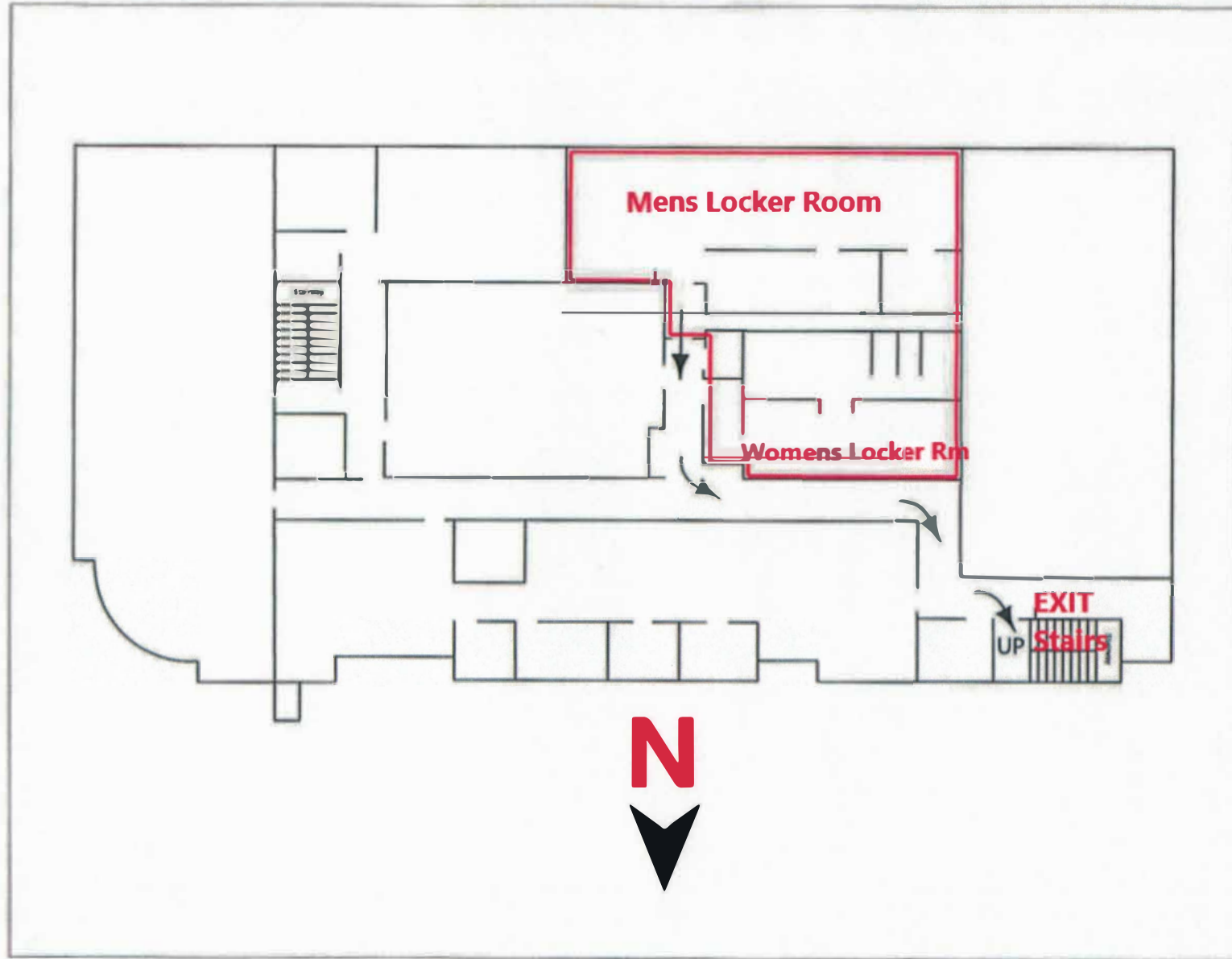
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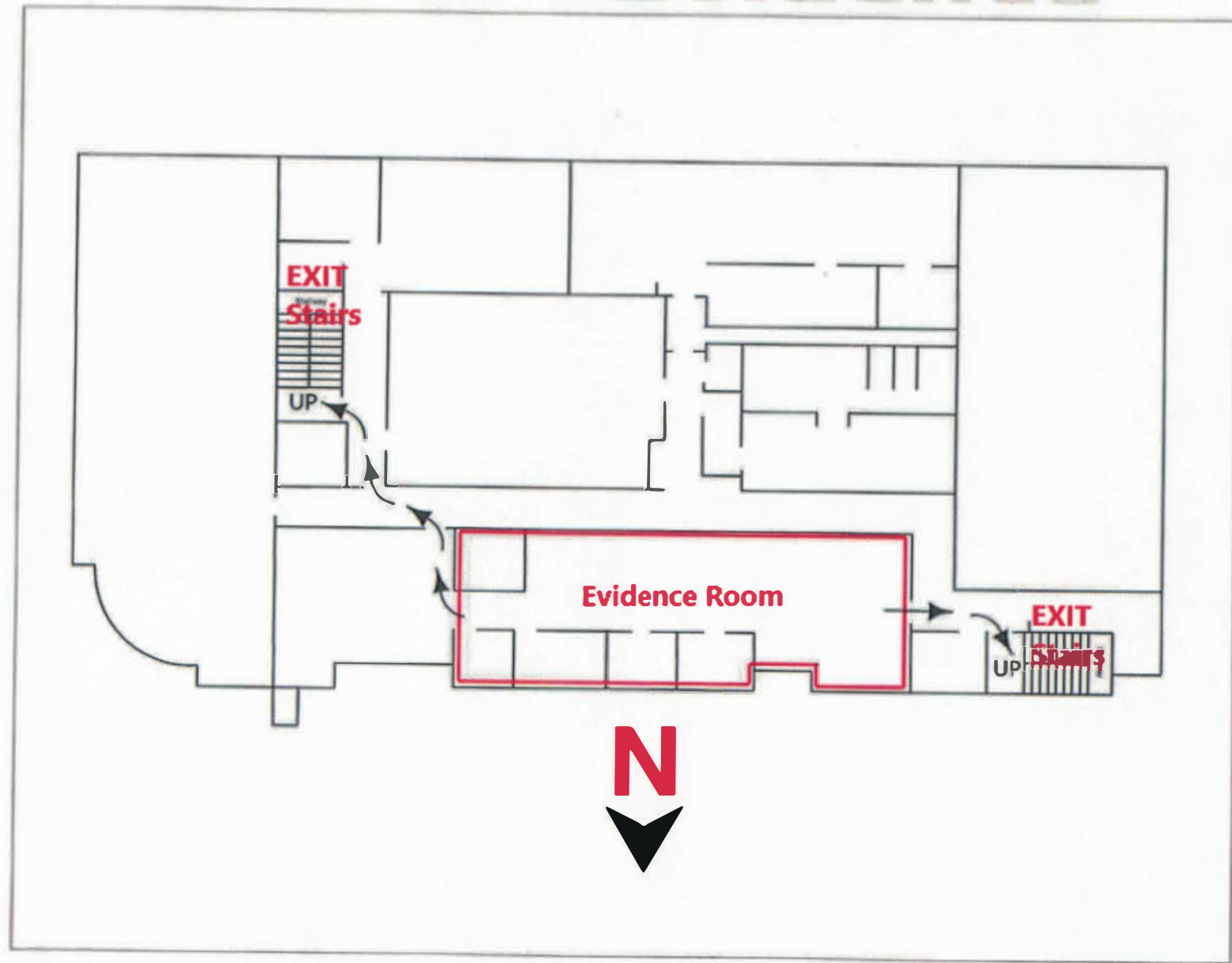
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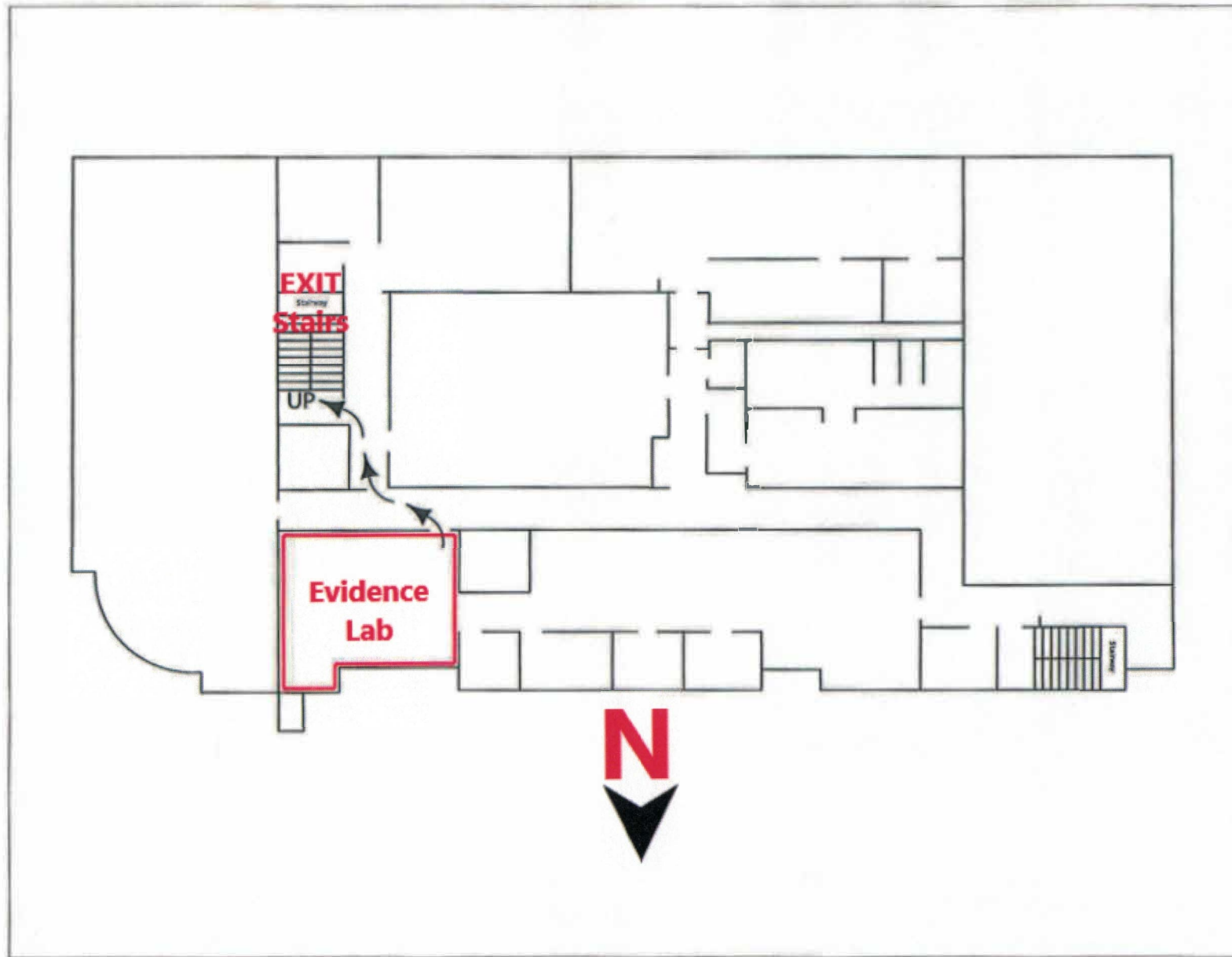
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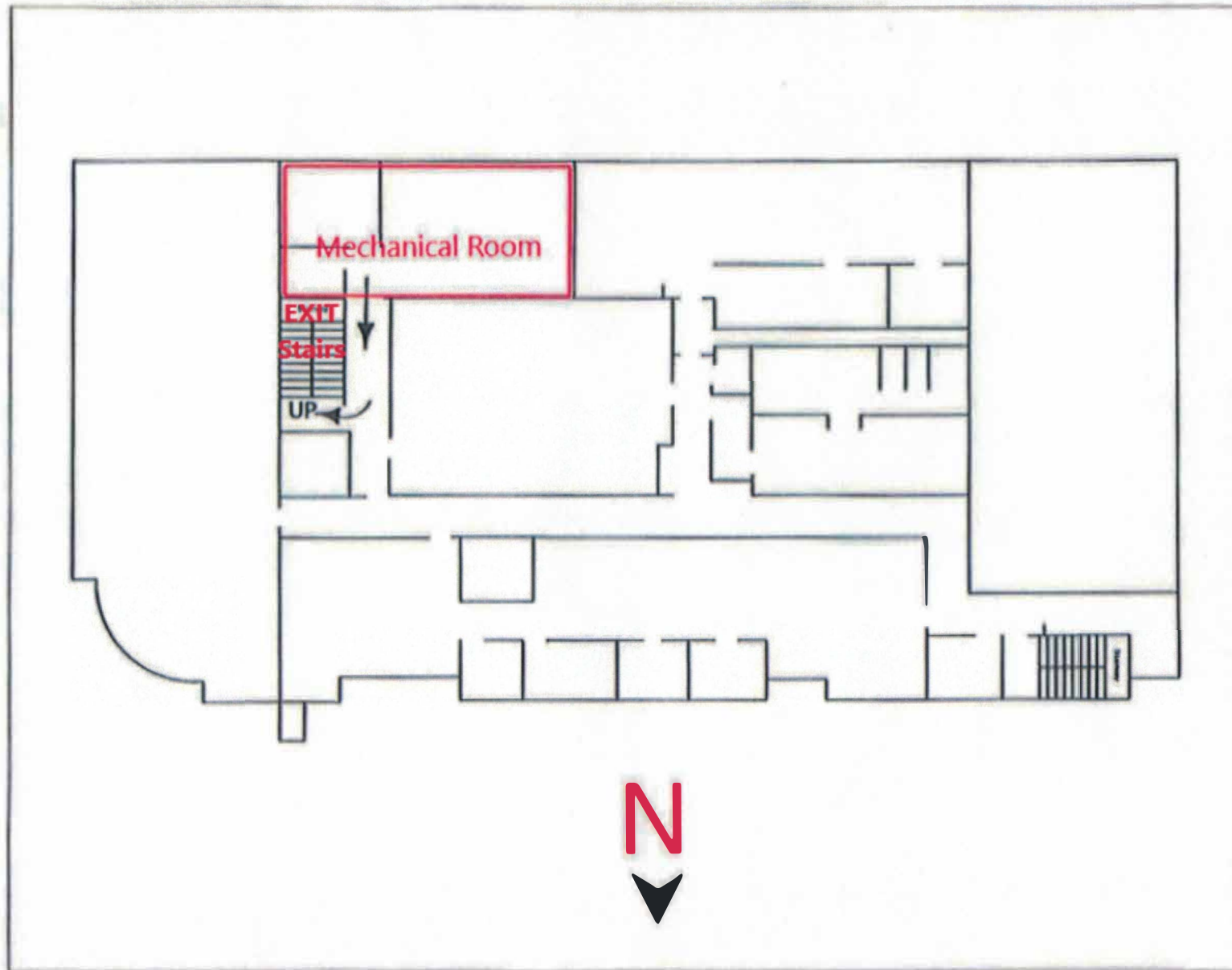
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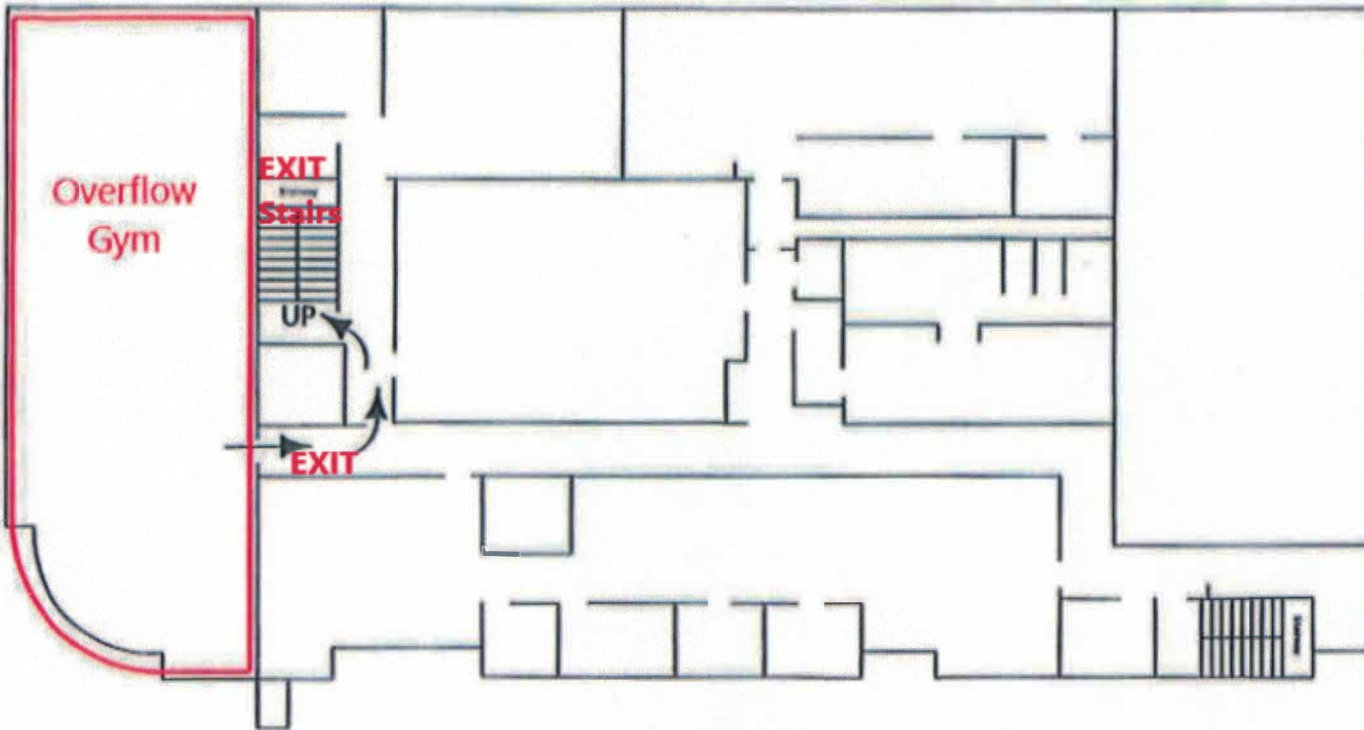
WLPD - Lab



WLPD - Mechanical



WLPD - Overflow



RECEIPT_Rights-of-Victims-of-Sexual-Assault.pdf



Acknowledgement of Receipt of Rights of Victims of Sexual Assault Information

SF-XXXX

By signing below, I am indicating that I have received a copy of the "Rights of Victims of Sexual Assault" brochure as required by IC 35-40.5.

Name of person receiving the brochure (First, Last)

Signature

Witness

Date

If the victim is visually impaired, please fill out the bottom portion of this form only:

By signing below, I am indicating that I read the "Rights of Victims of Sexual Assault" brochure out loud to the victim.

Name of person receiving the brochure (First, Last)

Signature

Witness

Date

****State Form version of this document is pending****

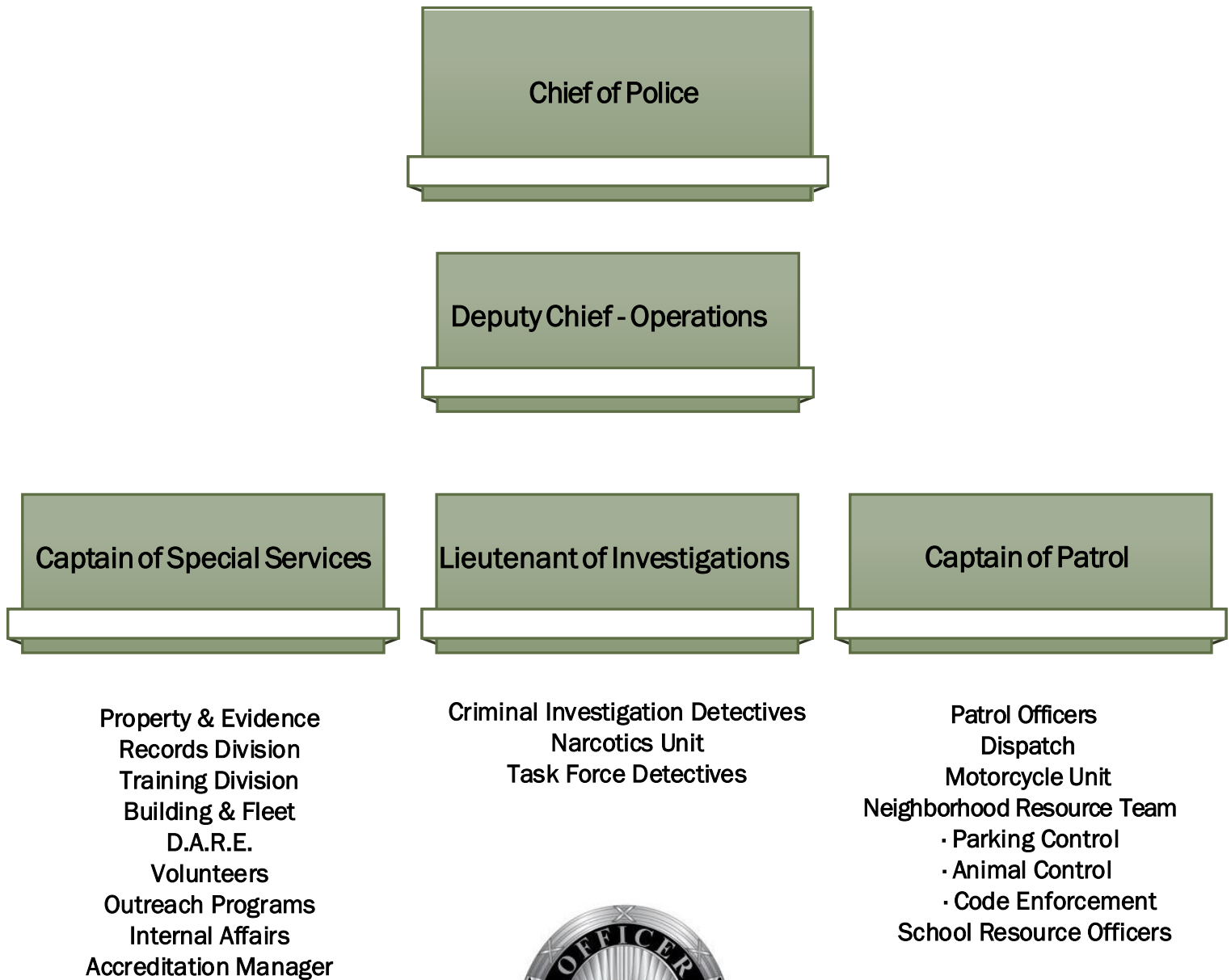
An electronic copy of the this form and the brochure as well as the link for access to the sexual assault kit tracking system may be found at www.in.gov/cji/2333.htm

If you have additional questions related to the payment of the medical forensic exam or additional forensic services you may contact the Indiana Criminal Justice Institute at 1-800-353-1484

Organizational Chart.pdf

WEST LAFAYETTE POLICE DEPARTMENT

Organizational Chart



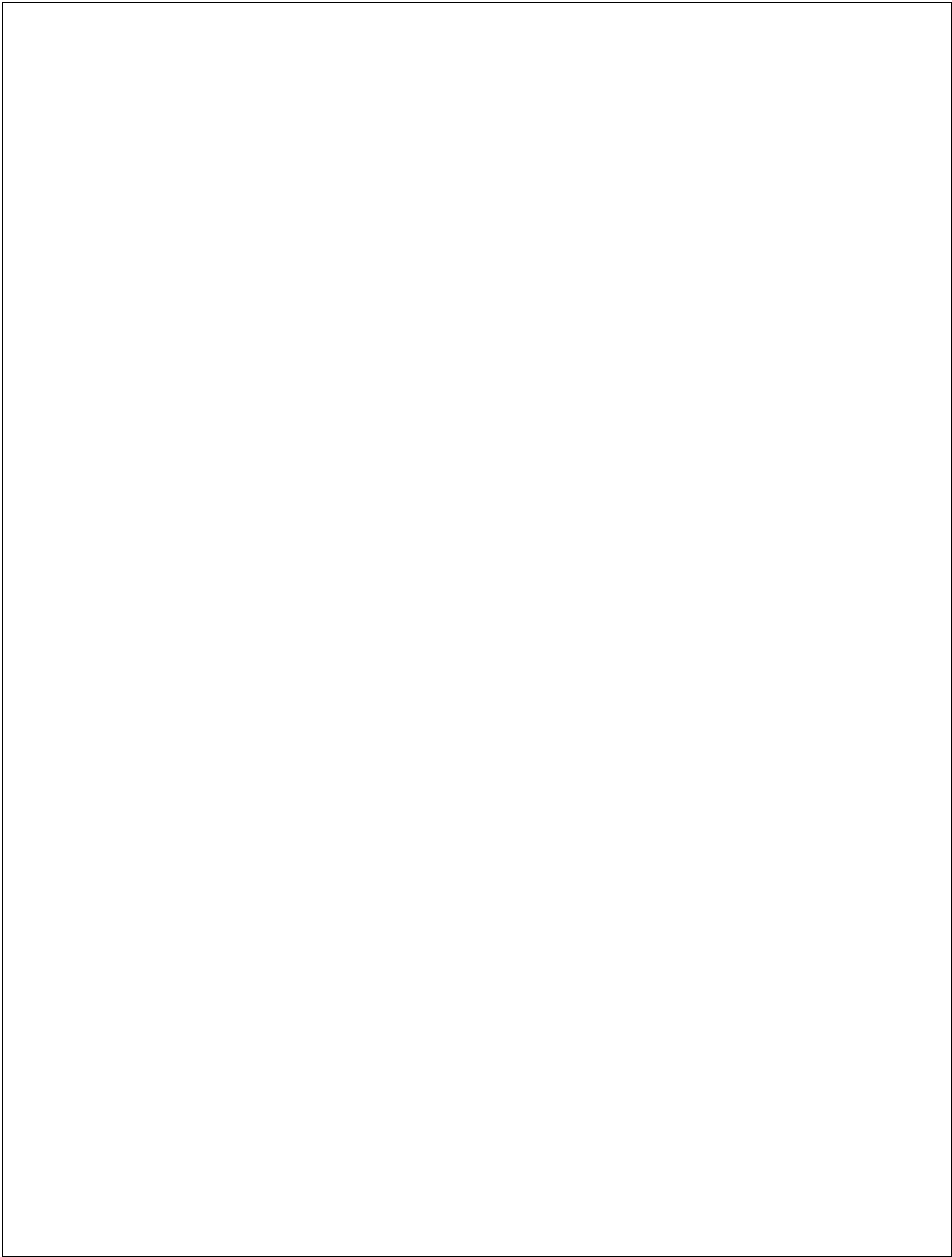
West Lafayette Civilian Personnel Manual 2023.pdf



Personnel Manual

For Civilian Employees

EFFECTIVE: JANUARY 1, 2023



West Lafayette Personnel Manual

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1.00 PURPOSE AND AUTHORITY FOR PERSONNEL POLICIES AND PROCEDURES

1.01 POLICY

This personnel manual has been established to provide a uniform approach to the implementation and administration of the personnel policies of the City of West Lafayette. Every employee is considered a valued member of the City of West Lafayette and is encouraged and expected to read and comply with the contents of this document. It is the City's belief that when consistent personnel policies are communicated and understood, employees have a better opportunity to achieve job satisfaction. **THIS PERSONNEL MANUAL IS NOT A CONTRACT BETWEEN THE CITY AND ITS EMPLOYEES OR A GUARANTEE OF EMPLOYMENT FOR ANY FIXED PERIOD OF TIME. THE CITY REMAINS FREE AT ALL TIMES TO CHANGE WAGES AND ALL OTHER WORKING CONDITIONS, EXCEPT AS OTHERWISE PROVIDED BY LAW OR CONTRACT, WITHOUT CONSULTATION OR AGREEMENT WITH THE EMPLOYEE AND CONTINUES TO HAVE THE POWER TO TERMINATE ANYONE WITH OR WITHOUT GOOD CAUSE.**

All employees governed by the personnel manual are "at-will" employees. This personnel manual supersedes and replaces all previous personnel manuals

1.02 GENERAL PROVISIONS

- A. This Personnel Manual governs all City civilian employees. Sworn Firefighters with the West Lafayette Fire Department and Sworn Police Officers with the West Lafayette Police Department are covered by separate standard operating procedures and/or guidelines. This policy supersedes and replaces any previous version of any City personnel manual and shall be effective beginning January 1, 2023.
- B. This Personnel Manual, the West Lafayette Fire Department Standard Operating Guidelines and the West Lafayette Police Department Standard Operating Procedures Manual shall be provided to the Human Resources Director.
- C. Policies and procedures found to be in violation of federal law, state statute, or city ordinance shall be declared null and void without effect on other policies and procedures.

2.00 DEFINITIONS

Department Head or Director – An employee who is appointed by the Mayor to the position of Building Commissioner, City Controller, Public Works Director, City Engineer, Chief and Deputy Chief of the Fire Department, Chief and Deputy Chief of the Police Department, Parks Superintendent, Street Commissioner, Utility Director, or who is appointed director of the department of Development and Human Resources.

Active Paid Status - An employee is in active paid status when they are drawing earned compensation for employment, or is on paid sick leave, paid personal time, a paid holiday, paid vacation, or using compensatory time.

Board - Refers to the West Lafayette Board of Public Works and Safety or the West Lafayette Board of Parks and Recreation.

City - Refers to the City of West Lafayette, Indiana.

Equal Employment Officer - Refers to Mayor's designee who oversees the City's E.E.O. compliance.

Introductory Period - An employee is in an introductory period for a minimum of 90 calendar days from the start of their employment. This introductory period may be extended in individual cases with the consent of the Department Head and the Human Resources Director. During the introductory period, a newly appointed employee is required to demonstrate satisfactory performance of

the duties of the position. Your status as an at-will employee does not change either during or after this period.

Regular Full-Time - Includes all employees who are regularly scheduled to work at least thirty (30) and up to forty (40) hours per calendar week, and who maintain employment on a year-round basis. Regular full-time employees are entitled to benefits associated with full-time employment.

Regular Part-Time - Includes all employees who are regularly scheduled to work between twenty (20) and thirty (30) hours per calendar week, and who maintain employment on a year-round basis. Regular part-time employees are entitled to accrued leave benefits on a *pro rata* basis according to their regularly scheduled work week. Regular part-time employees are not eligible for City benefits but may elect to participate in certain qualified voluntary benefits.

Seasonal - Includes all employees whose employment schedule is for a specific seasonal period as determined by a department. Seasonal employees are exempt from overtime and are not eligible for any benefit programs.

Temporary - Includes all employees whose employment schedule is generally short-term, intermittent, or who work less than 20 hours per calendar week on average. Temporary employees are not eligible for any benefit programs. Temporary employment placements are subject to review and change, including termination, at the discretion of the Department Head and the Human Resources Director.

Variable Hour - Includes all employees with variable or uncertain hours who are expected to work less than 30 hours per calendar week on average. Human Resources will evaluate the terms of variable hour employees using the Affordable Care Act's (ACA) look-back measurement method to determine benefits eligibility.

Independent Contractor - An individual who independently contracts to provide services to the City, is not a City employee. Independent contractors are not eligible for any benefit programs. An independent contractor's compensation is determined by the terms of his/her contract with the City.

Special Employees - Includes those employees who occupy job positions which may, from time-to-time, be created as a result of grants or supplemental assistance, grants-in-aid or other such funding. Special employees are not eligible for any benefit programs.

3.00 EQUAL EMPLOYMENT OPPORTUNITY AND AMERICANS WITH DISABILITIES ACT

3.01 EQUAL EMPLOYMENT OPPORTUNITY POLICY

The City of West Lafayette is an equal opportunity employer who prohibits discrimination and harassment of any kind. The City is committed to the principle of equal employment opportunity for all employees and to providing employees with a work environment free of discrimination and harassment. All employment decisions are based on business needs, job requirements and individual qualifications, without regard to race, color, creed, religion, ancestry, national origin, sex, disability, age, familial status, status with regard to public assistance, sexual orientation, gender identity, gender expression, and veteran status, in order to provide equal employment opportunity to all employees and applicants for employment in accordance with state and federal law. (See Appendix 2 for comprehensive policy against harassment and discrimination and complaint procedure.)

All City contractors and their employees, subcontractors and agents shall comply with all existing and future laws prohibiting discrimination against any employee or any applicant for employment or for subcontract work in the performance of any project for the City.

3.02 AMERICANS WITH DISABILITIES ACT POLICY

It is the policy of the City of West Lafayette not to exclude qualified individuals with disabilities from participation in or benefiting from the services, programs, or activities of the municipality.

In compliance with the Americans with Disabilities Act (ADA) of the Rehabilitation Act of 1973, the City of West Lafayette is committed to removing barriers that prevent employees with disabilities, who are otherwise qualified, from enjoying the same employment opportunities that are available to those without disabilities. The City of West Lafayette will not discriminate against any qualified employee or applicant with regard to any term or condition of employment because of such individual's physical or mental disability or perceived disability so long as the employee can perform the essential functions of the job, with or without reasonable accommodation. Consistent with this policy of nondiscrimination, the City will provide reasonable accommodations to a qualified individual with a disability, as defined by the ADA, who has made the City aware of their disability, provided that such accommodation does not constitute an undue hardship on the City. This includes making reasonable accommodation to allow individuals with disabilities to participate in the application and hiring process. Employees or applicants with a disability who believe they need a reasonable accommodation should contact their interviewer, immediate supervisor, a department head, or the Human Resources Director. It is the responsibility of an employee who becomes disabled and requires reasonable accommodation to contact their immediate supervisor, a department head, or the Human Resources Director and request reasonable accommodation. A family member, friend, health professional, or other representative may also request a reasonable accommodation on behalf of the disabled employee. The City encourages individuals with disabilities within the meaning of the ADA to come forward and request reasonable accommodation.

4.00 RECRUITING AND SELECTION

The City of West Lafayette is an equal opportunity employer and is committed to selecting and placing the best qualified individuals in open positions consistent with its dedication to equal employment opportunity. If a vacancy occurs in a department, the department head will contact the Human Resources Department to initiate the recruiting and selection process.

4.01 JOB POSTINGS/INTERNAL PLACEMENT

The City recognizes that the development and growth of its employees is critical to the success of the City and it encourages upward mobility by promotion and reassignment of qualified employees to new or vacant positions. Employees can find a list of vacant positions by logging on to Munis Self Service-Employee (MSS) and click on Employment Opportunities. When a vacancy occurs, first consideration shall be given to current employees who are in good standing based on their current performance review and who possess the knowledge, skills and abilities necessary to fill the vacant position. The City is under no obligation to wait a specified period of time before seeking external applicants.

Qualified employees who have been employed a minimum of one year will be interviewed and given consideration, however, there is no guarantee that a qualified internal applicant will be selected to fill a position. Hiring supervisors are under no obligation to interview internal applicants who do not meet the minimum qualifications for the vacancy. Employees must advise their current supervisor of their interest in a posted position. Supervisors shall not retaliate against an employee who applies for a position in another department. An employee selected for a position through the internal placement process may be retained in their former position until a replacement is obtained, or satisfactory arrangements are made with their present department.

Civilian employees who are transferred between departments will maintain their seniority for accrued leave benefits. The head of the department into which the employee is transferring shall have the discretion of requesting that any unused accrued vacation and/or

unused accrued compensatory time be paid to the employee before starting in their new position.

Indiana law reflects existing federal law which prohibits retirements in which a non-civilian member has a formal or informal agreement with an employer to become re-employed in a position after retirement. Non-civilian employees who are a member of the 1977 Fund and are retiring but are staying with the same employer in a position not covered by the 1977 Fund and are under age 55, will need a 30-day separation from service before re-employment. Non-civilian employees who are a member of the 1977 Fund and are retiring, you are age 55 or older, or you are moving to a different employer, you do not need the 30-day break in service. The State mandated separation of employment must be satisfied before starting work as a civilian employee.

Non-civilian employees (sworn Fire and Police personnel) who have terminated employment with the City who are re-hired in a civilian position will be entitled to the twenty (20) day maximum vacation allotment. This vacation allotment is prorated during the first calendar year of employment. The re-hired employee will be subject to the normal waiting periods for all other accrued leave and for their health and welfare benefits as for any new employee.

4.02 APPLICATION

All applicants, including internal candidates, will be required to complete the City's standard application form which is available on the City's website. A resume may be used as addendum to the application to provide the information specified in the job notice. The City reserves the right to decline an applicant or to discipline or terminate an employee who has provided false, misleading, erroneous or deceptive information verbally or on an application, resume, or other written materials, or who has omitted information during the hiring process.

4.03 SELECTION

Department heads shall be responsible, after consultation with Human Resources, for choosing the best qualified applicants for openings in their respective departments. Final hiring approval must come from the Board of Public Works and Safety or the Board of Parks and Recreation. This section does not apply to Elected or Appointed Officials.

4.04 NEPOTISM

The City recognizes that members of the same family may desire to pursue similar careers. The City must be sensitive, however, to the potential for favoritism in employment decisions and to the necessity of maintaining professional work relationships. The City's hiring, transfer and promotion processes are therefore subject to the following restrictions:

- A. In no event will any department head employ a relative in their department.
- B. The Parks and Recreation Department will not hire relatives of the Mayor, Clerk, Board of Parks and Recreation or members of the Common Council.
- C. Relatives are prohibited from being employed in positions that result in one being in the direct line of supervision of the other.
- D. In the event of a marriage between employees that results in a violation of the direct reporting prohibition, one of the affected employees must transfer or terminate employment with the City. The City cannot guarantee employment for such individuals.
- E. For purpose of this policy, "relatives" are defined as spouse, child, father, mother, brother, sister, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, stepfather, stepmother, stepson, stepdaughter, niece, nephew, grandparent, uncle, aunt, or first cousin.

A family member shall not automatically be disqualified from employment with the City, but the decision to hire ANY family member of a current employee must be jointly approved by Human Resources and the relevant department head(s).

(Also refer to Nepotism statement in Appendix 4 - CODE OF ETHICS.)

4.05 SECURITY AND BACKGROUND SCREENING

The City is committed to protecting the security and safety of employees and its citizens as well as safeguarding the assets and resources of the City. Background checks serve as an important part of the employment selection process and are required prior to hiring all full-time, part-time, seasonal, temporary, variable, intern, and volunteer employees regardless of the duration of employment.

The background check may include, but is not limited to: criminal history screening (may include county, state-by-state, and national criminal databases), social media screening, verification of social security number, prior work verification, certification of academic credentials, credit history, motor vehicle history, drug testing, and other testing deemed relevant based on the nature and duties of the position being sought.

All information obtained through the background check process, including criminal history, is highly confidential and access to such information is limited to those individuals who have a need to know.

Unless otherwise provided by law, having a criminal conviction or poor credit history does not necessarily preclude employment. The nature of the offense and its relevance to the applicant's suitability for the position, in particular, whether the individual's employment by the City poses an unacceptable risk, is considered on a case-by-case basis. Human Resources, in consultation with the hiring supervisor, shall evaluate the applicant's suitability for the position and make the final employment determination.

4.06 NEW EMPLOYEE PROCEDURE

Upon acceptance of a job offer, the new employee shall meet with Human Resources on or near their first day of employment, or by appointment to complete all appropriate new hire forms, review personnel policies and benefits, and set-up and/or train on appropriate information technology. As a condition of employment, every new employee must complete the Immigration and Naturalization Form I-9, with supporting documents within three business days of the date of employment. The City participates in E-Verify and will provide the Social Security Administration and, if necessary, the Department of Homeland Security, with information from the Form I-9 to confirm work authorization. The new employee shall also complete payroll, tax, and insurance forms. The City utilizes the Indiana Department of Labor's Youth Employment System (YES) to track and report minor-employee information under the age of 18.

Each department head or supervisor should plan a departmental orientation for the new employees in the department. Departmental orientation will cover all facets of the position that are unique to the department and, therefore, not covered by the general orientation session.

5.00 ATTENDANCE POLICY

Each employee is crucial to the successful completion of the City's daily business. Punctuality and regular attendance are essential functions of each employee's job with the City. Any tardiness or absence causes problems for fellow employees and supervisors. When an employee is absent, others must perform their work.

Employees are expected to report to work as scheduled, on time and prepared to start work. Employees also are expected to remain at work for their entire work schedule, except for break periods or when required to leave on authorized City business. Late arrival, early departure, and leaving City premises during work hours without permission of the employee's supervisor or department head while not on City business are grounds for discipline up to and including termination. For shift employees, the employee shall not leave their post until replaced by the employee for the next shift or until the supervisor relieves him/her.

In the event of an absence or tardiness, employees must provide their supervisor with an honest reason or explanation.

Documentation of the reason may be required. Employees also must inform their supervisor of the expected duration of any absence. Absent extenuating circumstances, an employee must contact their supervisor in advance of their regular starting time on any day on which the employee is scheduled to work and will not report to work or will be tardy. This policy applies for each day of an employee's absence. An employee who does not inform their supervisor of their absence from work in advance, without proper explanation or giving a false reason for absence or tardiness are all grounds for disciplinary action up to and including termination. Excessive absenteeism and excessive tardiness may be grounds for discipline up to and including termination of employment. Generally, any unpaid absence not protected by law (e.g., FMLA) will be considered excessive. Each situation of excessive absenteeism or tardiness will be evaluated on a case-by-case basis. Any employee who, without valid reason, fails to report to work without notification to their supervisor for a period of three days or more will be considered to have terminated the employment relationship.

6.00 HOURS OF WORK

6.01 WORKDAY, WEEK AND PAYROLL WEEK

The Common Council, the Board of Public Works and Safety (for the Wastewater Treatment Utility) or the Board of Parks and Recreation as appropriate, will set the regularly scheduled work hours in compliance with the FLSA. The designated hours of work for each department will be established by the department head with approval from the Mayor. The Clerk can designate the hours of work for the Clerk's staff. Generally speaking, these hours of work will be from 8:00 a.m. to 4:30 p.m. Monday through Friday. Certain offices may need to observe earlier opening hours and later closing hours in order to better serve the public. The payroll week shall be the calendar week beginning Saturday and ending Friday. The payroll period shall consist of two (2) consecutive weeks, with adjustments as needed. A Patrol Dispatcher's payroll week shall be the calendar week beginning Saturday at Noon and ending Saturday at 11:59 a.m.

6.02 BREAK PERIODS

Employees are entitled to receive two paid 15-minute breaks during each workday, one during each half of the employee's shift. These breaks are to be taken at a time not disrupting to departmental work activity as judged by the supervisor. Breaks cannot be combined, used to extend a lunch break, arrive to work late, or to leave work early. A break not taken is forfeited.

Employees working a regularly scheduled twelve (12) hour shift shall receive one additional 15-minute rest break to be taken during the last four (4) hours of the shift.

6.03 NURSING MOTHERS

The City provides support to employees if you are a breastfeeding mother who wishes to take a break during your workday in order to express milk when separated from your infant child(ren). Nursing mothers at City Hall shall be provided access to a private room for expressing breast milk and to cold storage for the milk. Employees working outside of City Hall should contact Human Resources to make arrangements for expressing breast milk at their work location. The frequency of breaks needed to express breast milk as well as the duration of each break may vary. If the employee's department regularly allows breaks during the day, the time spent expressing milk shall run concurrently with the break and not in addition to the break. Any additional time required to express milk shall be taken on the lunch break, which is unpaid.

6.04 OVERTIME AND COMPENSATORY TIME

When operating requirements or other needs cannot be met during regular working hours, employees will be scheduled to work additional hours. When possible, advance notification of these mandatory assignments will be provided. All overtime work must receive prior authorization from the supervisor. Compensatory time

may be given as a substitute for overtime pay for exempt and non-exempt employees. Exempt and non-exempt employees who are subject to receiving compensatory time will follow the "Compensatory Time Off Agreement" attached as Appendix 1.

Non-exempt employees that are not subject to the Compensatory Time Off Agreement shall receive monetary overtime compensation at a rate of one and one-half (1-1/2) times their regular rate of pay for each hour worked over forty (40) hours per workweek. Any exempt employee subject to receiving compensatory time who is required to work additional hours beyond the regularly scheduled workweek, up to forty (40) hours per week, will receive compensatory time on an hour-for-hour basis. The Department in which an exempt employee works may elect to pay straight time for hours worked beyond the regularly scheduled workweek, up to and above forty (40) hours per week.

Holiday, jury duty, and military leaves are considered hours worked for the computation of overtime pay. However, the maximum hours of work credited per day cannot exceed the hours in an employee's regularly scheduled workday. Other absences, including vacation, sick leave, personal days, compensatory time, bereavement leave, or any other leave of absence will not be considered hours worked for the computation of overtime pay. (See Compensatory Time Off Agreement attached as Appendix 1.)

Patrol Dispatchers will be compensated at one and one-half (1-1/2) times for any day they are required to work on their regularly scheduled day off.

6.05 MANDATORY CALL-BACK

Non-exempt employees who maintain their availability to come back to work to perform emergency or needed procedures during off-duty hours at the request of a supervisor or department head will be compensated for a minimum of two (2) hours at the regular rate of pay or for the actual time worked at one and one-half times their regular rate of pay, whichever is greater, regardless of the hours actually worked in the work week. Failure to report for duty within a reasonable time, not to exceed one hour, after being called into work by a supervisor or department head will be grounds for disciplinary action. Failure to inform the supervisor or department head of any change in phone number or address will be grounds for disciplinary action.

Each year, the City will establish a beginning and end date for winter seasonal activities for the Street and Sanitation Department employees. Eligible employees engaged in seasonal winter activities have the option to be paid monetary compensation or earn compensatory time during the established dates. Each year, eligible employees are required to sign their intent to choose monetary overtime pay or earn compensatory leave. Their selection will be locked in for the entire designated seasonal time period. Compensatory time may be used during the same pay period it was earned or at any time during the specified winter season. Compensatory leave will be paid out on the last pay date of the calendar year and at the end of the specified winter season.

This mandatory call-back policy does not apply to those whose work schedule has changed temporarily due to work requirements, such as snow removal, nor to staff assigned to on-call duty. Additionally, this policy does not apply to those who are provided with a take home vehicle.

6.06 ON-CALL

An employee may be required by the department head or supervisor to be available on a stand-by basis, outside scheduled working hours, to respond immediately to a call back to work as required for reasons of operational necessity. This time does not restrict their freedom to conduct personal business and is not required to remain at work or home and is free to engage in personal matters, with the understanding that they must be available by phone or pager. An employee who is on call is required to carry a cell phone, or other immediate contact device. Failure to answer a call or respond

within a reasonable time, not to exceed one hour, after being called into work, will be grounds for disciplinary action. Failure to inform the supervisor or department head of any change in phone number(s) and address will be grounds for disciplinary action.

6.07 SPECIAL DUTY PAY

Certain civilian employees of the West Lafayette Police Department are subject to special duty pay for hours worked in connection with Purdue University athletic events. Special duty pay is guaranteed at the rate of one and one-half (1-1/2) times their regular rate of pay regardless of hours worked in the same pay period.

7.00 PAYROLL

Employees are paid bi-weekly (every other Friday), or 26 pays per year. There are months during the year where there are three pay dates; the third pay date in these two months will not include insurance premium deductions. They will, however, include other deductions such as all mandatory federal, state and local taxes; social security deductions; the employee's portion of retirement contributions; and other voluntary benefit deductions. (See Appendix 3 for Permissible Deductions for Salaried Employees.)

To view your payroll stub, log onto Munis Self Service-Employee (MSS) and click on Pay/Tax Information.

8.00 RECORD KEEPING

Accurate recording of time worked is the employee's responsibility. Federal and state laws require the City to keep an accurate record of time worked in order to calculate your pay and benefits. Time worked is defined as time spent on the job performing assigned duties. The Controller shall prescribe the method of recording time worked and leave time for all departments.

It is the responsibility of each employee to use the prescribed method of recording their work hours and leave on a biweekly basis and to obtain the approval of their time worked and leave from the department head or their designee. Altering, falsifying, tampering with, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

Employees cannot be required to arrive early, stay late or use their unpaid mealtime to perform work-related activities without being compensated for the additional time. An early start or late departure must be specifically requested and authorized, in advance, by the employee's supervisor (except in an emergency). Employees who choose to arrive early or stay late for personal reasons shall be compensated only for the hours worked.

When documenting time worked, the start and end time should round to the nearest quarter of an hour. Count time from one to seven minutes down to the nearest quarter-hour and time from eight to 14 minutes up to the closest quarter-hour. For example, round 8:09 a.m. up to 8:15 a.m. and round 4:05 p.m. down to 4:00 p.m.

8.01 DIRECT DEPOSIT

All employees are expected to participate in the City's mandatory direct deposit program. To initiate the direct deposit authorization to a primary and/or secondary financial institution, employees are required to complete information online through Munis Self Service-Employee (MSS). It is the responsibility of the employee to maintain current account information.

8.02 TIME CLOCKS

All employees who use a time clock or other time recording device must clock in at the beginning of their shift and out at the end of their shift. Employees are strictly forbidden to clock other employees in or out. Such actions will be treated as falsification of City records and may result in discharge. Failure to clock in or out may result in disciplinary action.

9.00 EMERGENCY CLOSINGS

The Mayor will determine if emergency conditions exist to close City Hall and/or other departments within the City. Emergencies include, but are not limited to, inclement weather conditions, equipment failure, fire or other forced evacuations.

In the event of an emergency closing, some operations must continue to provide services. Department heads shall predetermine and designate the mandatory/essential operations that will remain open and designate the emergency employees to staff these operations. (e.g. maintenance personnel may be deemed as essential for the on-going operation of a department whereby administrative/clerical personnel may be deemed non-essential to the operation of a department during a closing at the discretion of the department head and depending upon the emergency). Employees who are designated mandatory/essential will remain at work and will be paid their regular rate of pay up through forty (40) hours worked per work week. All non-essential employees will be released and will receive regular pay for all normally scheduled hours not worked due to the emergency closing. Non-essential employees who either choose or are required to remain at work in order to complete a task, will be compensated the same as employees who were released.

Employees who are not scheduled to work on the day(s) of a declared weather emergency will not receive an additional paid benefit day. To clarify, when an employee is absent on previously approved paid time off, or leave without pay, or when the closing occurs on a day when the employee's regular schedule does not require them to work, the employee is not entitled to additional benefit time as a result of the closing.

Employees who do not report for work due to inclement weather conditions when City Hall and/or their Department is open and City services are available to the public, will be required to use a personal day, vacation leave, or compensatory time.

10.00 APPEARANCE/APPROPRIATE ATTIRE

The City expects all employees to exercise appropriate judgment with regard to personal appearance, dress and grooming to be most effective in the performance of workplace duties. The City recognizes that personal appearance is an important element of self-expression and strives not to control or dictate appropriate employee appearance, specifically with regard to jewelry or tattoos worn as a matter of personal choice.

In keeping with this approach, the City allows reasonable self-expression through personal appearance, unless it conflicts with an employee's ability to perform their position effectively or with their specific work environment, or it is regarded as offensive or harassing toward co-workers or the public.

The City permits employees to wear jewelry or to display tattoos at the workplace within the following guidelines. Factors that management will consider determining whether jewelry or tattoos may pose a conflict with the employee's job or work environment include:

1. Personal safety of self or others, or damage to company property.
2. Productivity or performance expectations.
3. Offensiveness to co-workers, customers, vendors or others in the workplace based on racial, sexual, religious, ethnic, or other characteristics or attributes of a sensitive or legally protected nature.
4. Corporate or societal norms.
5. Customer complaints.

If it is determined that an employee's jewelry or tattoos may present such a conflict, the employee will be encouraged to identify appropriate options, such as removal of excess or offensive jewelry, covering of tattoos, transfer to an alternative position, or other reasonable means to resolve the conflict.

An environment of mutual cooperation, respect, and fair and consistent treatment for all employees is the City's goal. Nonetheless, the City is legally responsible for ensuring that no employees are subject to harassment or a hostile work environment.

As an initial step toward resolution of any complaint or offense under this policy, supervisors and managers will be responsible for explaining the policy and answering employee questions. If an agreeable solution cannot be reached at that stage, the Human Resources Director will follow company procedures to determine the appropriate action.

The City requires employees to always appear for work in attire that is "professional" and suitable for the work setting. This may vary from one department to another depending on the nature of the work, exposure to the general public, customers, and the extent to which the employee works outdoors.

Personal appearance and hygiene play an important role in projecting a professional image in the community and to the citizens we serve. An employee's appearance should always reflect what is appropriate for the job, work setting, and personal safety.

Employees should use good judgment and common sense when dressing for work. Unacceptable attire includes but is not limited to sweatpants, leggings or workout attire (leggings may be worn under a dress or skirt of an acceptable length); blouses, shirts or sun dresses with thin straps, low necklines, halter or sheer material, or clothing that is excessively revealing, distracting or provocative; t-shirts with foul or obscene words or graphics; clothing that is torn.

If there is doubt as to whether a piece of clothing is appropriate, do not wear it in the workplace. An employee observed wearing unacceptable attire may be sent home to change with a dock in pay.

11.00 ACCESS TO PUBLIC RECORDS

The City is a public agency and all of its records, with certain exceptions, are public records. In general, the public is entitled to access, inspect and copy any of our public records as provided and subject to Indiana Code 5-14-1.5. If you receive a request for public records access or have any questions about public records, you should contact the City Clerk's office.

12.00 DISCLOSURE OF CONFIDENTIAL INFORMATION

In the course of performing their jobs, City employees may be exposed to a variety of information regarding City business and individual members of the public as they interact with City government. Employees are expected to protect the security of confidential information, but to respect and accommodate the public's right to public information. If in doubt regarding the disclosure of specific information, employees should ask their supervisors or department heads for assistance in determining whether information should be released *before* disclosing. All requests for records pursuant to Indiana's Access to Public Records Act shall be handled as prescribed in the Access to Public Records policy.

13.00 OUTSIDE EMPLOYMENT

Any employee who is also employed by an entity other than the City, is responsible for notifying their supervisor of this outside employment. Employees may not hold any other employment or engage in any personal business, including as an independent contractor, that would create an actual or potential conflict of interest. If outside work would involve products, services, or customers like those of the City, this could create a conflict of interest. Any conflict or potential conflict (such as the outside employer is subject to City regulation or enforcement or is a City vendor) should be discussed with the department head, Human Resources and/or the Mayor as appropriate, who will determine whether a conflict exists. If it is determined that a conflict exists between the employment with the City and outside employment, the employee will be required to choose which employment to maintain and which to discontinue. If the employee does not choose within two weeks of the decision that a conflict exists, the employee will be terminated from their position with the City. Record of an employee's outside employment and the resolution of any conflict or potential conflict shall be maintained in the employee's file in their department and by Human Resources.

An employee's outside employment must not interfere with the City's scheduling demands, attendance, or performance standards. Employees shall not be permitted to utilize any City equipment whatsoever, including, but not limited to, safety vests, tools, vehicles, computer equipment, or any other equipment owned by the City of West Lafayette for use in other employment. In addition, you may not perform services on behalf of any other person or employer during your workday for the City.

14.00 DAMAGE TO PERSONAL PROPERTY

The City shall reimburse any employee whose personal property (glasses, dentures, etc.) has been destroyed in the line of duty without negligence or fault by the employee. All claims must be substantiated by the department head and documented with a corresponding invoice. The Board of Public Works and Safety or Board of Parks and Recreation must approve these claims.

The City cannot be responsible and is not liable for loss or damage to your personal property (including, but not limited to, damage to your personal vehicle in our parking areas or used in performing duties for the City.) You should not bring valuables or large amounts of money to work. You should take reasonable precautionary measures in order to secure personal items.

15.00 INFORMATION SYSTEMS ACCEPTABLE USE POLICY

15.01 OVERVIEW

The City of West Lafayette's intentions for publishing an Acceptable Use Policy are not to impose restrictions that are contrary to its established culture of openness, trust and integrity. The City's Information Technology Department is committed to protecting the City and its employees from illegal or damaging actions by individuals, either knowingly or unknowingly.

Internet/Intranet/Extranet-related systems, including but not limited to computer equipment, mobile communication devices, software, operating systems, storage media, network accounts, and electronic communications, are the property of the City of West Lafayette. These systems are to be used for business purposes in serving the interests of the City and its citizens in the course of normal operations.

Effective security is a team effort involving the participation and support of every employee who deals with information and/or information systems. It is the responsibility of every information system user to know these guidelines, and to conduct their activities accordingly.

15.02 PURPOSE

The purpose of this policy is to outline the acceptable use of information technology. Inappropriate use exposes the City of West Lafayette to risks including financial risk, compromise of network systems and services, loss of productivity, and legal issues.

15.03 SCOPE

This policy applies to the procurement, use of, and disposal of information systems. Information systems include:

- Electronic and computing devices.
- Network infrastructure and resources used to interact with city networks and systems.
- Systems owned or leased by the City of West Lafayette, the employee, or third parties.

Everyone is responsible for exercising good judgment regarding appropriate use of information, electronic devices, and network resources in accordance with the city policies and local laws and regulations.

15.04 GENERAL USE AND OWNERSHIP

Information stored on electronic and computing devices whether owned or leased by the City, the employee or a third party, remains the sole property of the City of West Lafayette. Employees must be aware that electronic information including but not limited to messages, documents, transaction records, social media activity, etc. may contain sensitive information, and/or be subject to public

records retention policies and as such must be handled accordingly. Failure to do so may be punishable by law. Contact the City Clerk if you have questions about public records. If in doubt, treat the information as a public record for retention purposes, but seek guidance on the appropriate policy for distribution of the data, in order to ensure that sensitive or regulated data is not inappropriately released. In short, hold on to and do not distribute data about which you have questions until you receive clarification from the data owner about disposal or distribution.

You have a responsibility to promptly report the theft, loss or unauthorized disclosure of sensitive information.

You may access, use or share sensitive information only to the extent it is authorized and necessary to fulfill your assigned job duties.

Employees are responsible for exercising good judgment regarding the reasonableness of personal use.

For security review and network maintenance purposes, authorized individuals within the City of West Lafayette may monitor equipment, systems and network traffic at any time. Authorization to monitor network traffic shall be in writing, and pre-approved by the Mayor.

The Information Technology Department reserves the right to audit networks and systems on a periodic basis to ensure compliance with city policies.

15.05 INFORMATION SECURITY

System level and user level credentials, including passwords must comply with the Acceptable *Authentication and/or Authorization*. Providing an access credential to another individual, either deliberately or through failure to secure its access, is prohibited. All computing devices must be secured with an authentication protected session lock with the automatic activation feature set to 30 minutes or less. Employees must lock the screen or log off when the device is unattended.

Postings by employees from a City of West Lafayette network account to newsgroups, social media sites, weblogs, etc., should be avoided unless authorized by a supervisor to do so as a normal business duty.

Employees should avoid opening e-mail attachments, links, postings, messages, etc. received from unknown senders, or unexpected content from known senders, as this content may be malicious.

15.06 UNACCEPTABLE USE

The following activities are, in general, prohibited. Employees may be exempted from these restrictions during their legitimate job responsibilities.

Under no circumstances is an employee authorized to engage in any activity that is illegal while utilizing the City of West Lafayette information systems.

The lists below are by no means exhaustive but attempt to provide a framework for activities which fall into the category of unacceptable use.

System and Network Activities

The following activities are strictly prohibited, with no exceptions:

1. Violations of the rights of any person or company protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations, including, but not limited to, unauthorized access to systems and the installation or distribution of "pirated" or other software products that are not appropriately licensed for use by the City of West Lafayette.
2. Unauthorized copying of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books or other copyrighted sources, copyrighted music, and the installation of any copyrighted software for which the City of West Lafayette or the end user does not have an active license is prohibited.

3. Accessing data, a server or an account for any purpose other than conducting the City of West Lafayette business, even if you have authorized access, is prohibited.
4. Introduction of services, hosts, and networking equipment into the network environment including, but not limited to, wireless access points, cloud services, internet service, switches, routers, firewalls, non-city owned equipment, data links, network bridges, servers, unmanaged PC's, and unmanaged mobile devices is prohibited without prior authorization from the IT department.
5. Introduction of malicious programs into the network or server (e.g., viruses, worms, Trojan horses, e-mail bombs, etc.).
6. Revealing your account credential (e.g. username and password) to others or allowing unsupervised use of your account by others.
7. Using a City of West Lafayette computing asset to actively engage in procuring or transmitting material that is in violation of sexual harassment, discrimination of any kind, bullying or hostile workplace laws.
8. Making fraudulent offers of products, items, or services originating from any City of West Lafayette account.
9. Effecting security breaches or disruptions of network communication. Security breaches include, but are not limited to, accessing data of which the employee is not an intended recipient or logging into a server or account that the employee is not expressly authorized to access, unless these duties are within the scope of regular duties. For purposes of this section, "disruption" includes, but is not limited to, network sniffing, pinged floods, packet spoofing, denial of service, and forged routing information for malicious purposes.
10. Network, or host scanning unless prior authorization from the City's Information Technology Manager is received in writing.
11. Executing any form of network monitoring which will intercept data not intended for the employee's host, unless this activity is a part of the employee's normal job/duty.
12. Circumventing user authentication or security of any host, network or account.
13. Using any program/script/command, or sending messages of any kind, with the intent to interfere with, or disable, a user's session, via any means, locally or via the Internet/Intranet/Extranet.
14. Providing sensitive information about, or lists of, the City of West Lafayette's employees or citizens to third parties outside the City of West Lafayette government, unless this activity is a part of the employee's normal job/duty and in response to a lawful request.

15.07 POLICY COMPLIANCE

The City of West Lafayette's I.T. team will verify compliance to this policy through various methods, including, but not limited to, business tool reports, internal and external audits, and feedback to the Mayor.

Any exception to Section 16.00 of this policy must be approved in advance by the City's Information Technology Manager.

16.00 ELECTRONIC MAIL AND INTERNET USAGE

The purpose of this policy is to promote the productive use of internet and electronic mail resources while preventing the abuse and misuse that can negatively impact productivity and expose the City of West Lafayette to potential liabilities.

The use of electronic information is a privilege and requires responsible and ethical use. All employees shall use common sense and sound judgment when utilizing the e-mail or internet system just as they would if they were writing memoranda or letters. All e-mails should be courteous and professional. Examples of unacceptable use of the internet and e-mail include but are not limited to: reviewing non-business related sites or pornographic

sites; downloading or copying software from the internet; e-mailing chain letters and other types of mass mailings; and, transmitting messages or materials that violate the City's policy against harassment and discrimination or for transmitting otherwise inappropriate messages or materials that contain defamatory, abusive, harassing, obscene, pornographic, profane, sexually oriented, threatening, racially offensive or otherwise biased, discriminatory, or illegal material, whether self-generated or involuntarily received from inside or outside the City.

Limited personal use of e-mail and the internet should, with infrequent exceptions, occur on the user's own time and shall not interfere with the employee's job responsibilities. Personal use of e-mail and the internet must be consistent with the City's policy on Electronic Mail and Internet Usage.

The computer technology and e-mail systems are the property of the City of West Lafayette and are subject to monitoring. All data entered, created, received, stored or transmitted via City systems are considered City Property. Users should be aware that e-mail messages cannot be considered private and may be subject to inspection by outside third parties and the employee's supervisor, department head or the Human Resources Director.

The use of a password to access the internet or e-mail system does not assure the confidentiality of any message stored in, created, received, or sent from the City e-mail system. Use of passwords or other security measures does not in any way diminish the City's rights to access materials on its system or create any privacy rights of employees in the messages and files on the system. Any password used by a City employee must be provided to their supervisor or department head, as an employee's file may need to be accessed in an employee's absence.

E-mails to and from the City's legal counsel must be treated with special care to protect attorney/client privilege. They should not be forwarded to others (inside or outside the City) without the attorney's prior direction.

Any employee who abuses the privilege of using the City's e-mail system or internet access will be subject to appropriate disciplinary action up to and including termination.

17.00 CELLULAR PHONE USAGE

While at work, employees are expected to exercise the same discretion in using personal cellular phones as is expected for the use of work phones. Personal calls during the work hours, regardless of the phone used, can interfere with employee productivity, safety and be distracting to others. Employees should keep personal calls to a minimum.

Employees who carry City cell phones for business reasons and use features including, but not limited to, cameras, texting, games, music and Internet connectivity are subject to the same rules as in the Electronic Mail and Internet Usage policy.

17.01 INDIANA HANDS-FREE DRIVING LAW

Governor Holcomb signed into law House Enrolled Act 1070, Indiana code 9-21-8-59 on July 1, 2020 banning the use of hand-held devices while driving. The objective is to increase roadway safety in Indiana by updating Indiana's distracted driving law to require drivers to use hands free technology when using a telecommunications device behind the wheel.

Studies have demonstrated how the use of cell phones while driving pose a significant safety risk to motorists, their passengers and others on the road. Employees whose job responsibilities include driving or equipment operation are expected to refrain from using their cellular device (including hands free) while driving or operating equipment. If acceptance of a call is unavoidable and pulling over is not an option, employees are expected to keep the call short and use a hands free or voice operated technology. Safety must come before all other concerns.

CDL holders are held to an even higher standard and, regardless of the circumstances, may not use cell phones or any other mobile electronic devices while operating a motor vehicle. This includes,

but is not limited to, answering or making phone calls, engaging in phone conversations, reading or responding to emails and text messages, adjusting a Global Positioning System (GPS) and accessing the Internet.

Texting and emailing while driving is never acceptable. All employees must pull over to a safe place and stop the vehicle before sending or replying to a text or email.

Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions. Violations of this policy may result in disciplinary action, up to and including termination.

18.00 SOCIAL MEDIA POLICY

City of West Lafayette employees, citizens, and other members of the public use the Internet to obtain information about the City and our services.

The City always expects employees to act responsibly and exercise good judgment and the highest degree of professionalism and confidentiality. This responsibility is particularly important regarding information placed on the Internet about the City and any of its employees. No information about our citizens (whether identified or not) should ever be placed on the Internet.

Information placed on the Internet and data sent via other electronic media (e.g., email, text messages, etc.) can easily end up in the public domain. Absolute privacy of information and data placed on the Internet and sent electronically cannot be guaranteed. If you fail to act responsibly in that regard, the information and content placed on the Internet or communicated via other media can have a harmful effect on the City, its employees, and others associated with us. Employees must be cognizant of the impression you create when information is placed about the City or its employees on the Internet.

With the above in mind, the City has established guidelines to ensure that the City and all persons associated with it are always treated with respect and professionalism. We also want to ensure that anything that is placed in the public domain about the City is in the best interests of the city and that it reflects positively on us. Accordingly, you must adhere to these guidelines regarding information placed on the Internet about the City or its employees, or both:

1. If you create or maintain a web site, blog, or similar internet site about yourself (e.g., Facebook, Twitter, Instagram, LinkedIn, etc.), you must exercise the highest degree of good judgment regarding the material placed on that site or blog. For example, you should ask yourself: "What would a prospective or current citizen think about me or the City, or both, if the citizen sees this material? If the answer is that the citizen might perceive something negative, then the material that may create a negative impression about the individual or the City should not be placed on the site or blog.
2. If you participate in a blog or other site by making comments about public issues, you may not identify yourself as associated with the City, either explicitly or implicitly, unless authorized in writing by the Mayor. Messages about the City on Twitter and other sites are not permitted without prior written authorization. We do allow you to identify your affiliation with the City on LinkedIn, Facebook, and similar sites.
3. Content placed on the Internet or transmitted via other media may not be potentially defamatory, abusive, threatening, harassing, invasive of privacy, or injurious to you, a citizen, or another individual. Moreover, this content may not violate the City's confidentiality policies.

Employees should not have any expectation of privacy while accessing social media at work or on company-owned equipment.

As is true of all other City policies, a violation of this policy may result in disciplinary action, up to and including termination of employment.

19.00 BENEFITS

Active full-time employees of the City are eligible to participate in a wide range of benefits. Benefits such as Social Security, workers' compensation, and unemployment insurance cover you in the manner prescribed by State law. Health and welfare benefits such as medical, dental, vision, life, and disability insurance are also provided as well as an array of voluntary benefit programs. Some benefit programs require contributions by the employee, while others are fully paid by the City. Employees should refer to their current Employee Benefit Guide for detailed benefit information.

19.01 HEALTH CARE CONTINUATION COVERAGE

The Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their families who lose their health benefits the right to choose to continue group health benefits provided by their group health plan for limited periods of time under certain circumstances such as voluntary or involuntary job loss, reduction in the hours worked, transition between jobs, death, divorce, and other life events. Qualified individuals may be required to pay the entire premium for coverage up to 102 percent of the cost to the plan.

19.02 GROUP INSURANCE FOR PUBLIC EMPLOYEES

Employees who have 20 years of service with a public employer who have completed at least 15 years of participation in the INPRS retirement plan, may remain on the City's group medical insurance plan. This insurance will end when an employee becomes eligible for Medicare.

19.03 INDIANA PUBLIC RETIREMENT SYSTEM ("INPRS")

Full-time civilian employees of the City who are covered by this Policy are required to participate and be enrolled in the Indiana Public Retirement System ("INPRS"). The terms, conditions, benefits, eligibility requirements and contribution rates for INPRS are defined by statute and/or the Fund. Information concerning INPRS is available during an employee's orientation and by contacting the Human Resources Department.

20.00 UNIFORM/CLOTHING ALLOWANCE

A uniform or clothing allowance is granted to qualified personnel pursuant to the annual City budget and payable in two (2) installments (April and October) subject to the availability of funds. This allowance is to purchase, repair and maintain uniforms or clothing. Accrual is calculated on a six-month basis.

The City may purchase uniforms for qualified personnel that consists of apparel with City and departmental identification if the following conditions are met: the apparel is required to be worn during the work day for a work-related purpose, is prohibited from being worn outside of work except *de minimis* (to and from home), shall not be worn by anyone else, and is to be returned upon termination of employment. A violation of the uniform policy may result in disciplinary action and will also result in the uniform being reported as a taxable fringe benefit according to Internal Revenue Service guidelines.

20.01 SAFETY-TOE FOOTWEAR ALLOWANCE

Employees may be required to wear safety-toe protective footwear while performing their job duties. In this instance, safety-toe footwear or work boots are considered Personal Protective Equipment (PPE). The City will provide eligible employees with an annual monetary reimbursement allowance of up to one-hundred fifty (\$150.00) to full-time employees who are required to wear steel/composite safety-toe footwear. Employees will be reimbursed through the A/P claims process once the original purchase receipt is submitted and approved by the employee's supervisor.

Employees who choose to wear everyday work boots to perform their job duties, will be solely responsible for the cost of their footwear.

21.00 VACATION

21.01 ELIGIBILITY

Vacation with pay is available to regular full-time and regular part-time employees. Employees are eligible to use vacation during their

first year of partial employment on a pro-rated basis in accordance with Section 21.02. Vacation is awarded on a calendar-year basis. At the Mayor's sole discretion, a department head or other employee may be granted vacation leave in an amount and at a time the Mayor deems appropriate under the circumstances. Vacation leave will not be considered hours worked for the computation of overtime or earning compensatory time.

21.02 AMOUNT OF VACATION

Your vacation allotment during the first partial calendar year of employment will be in accordance with the following schedule:

<u>LENGTH OF SERVICE</u>	<u>VACATION DAYS PER YEAR</u>
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If employee is hired by:

March 1	10 days
April 1	9 days
May 1	8 days
June 1	7 days
July 1	6 days
August 1	5 days
September 1	4 days
October 1	3 days
November 1	2 days
December 1	1 day

The following shows the vacation you earn annually for each full calendar year of service on January 1.

1-5 years	10 days
6-11 years	15 days
12 or more years	20 days

Regular part-time employees, who are scheduled to work 20 hours or more per week, will be awarded vacation time on a pro rata basis.

21.03 CARRY-OVER PROVISION

An employee may elect to carry over up to five days of accrued vacation into the following calendar year. Excess days will be forfeited at the end of the calendar year.

21.04 REQUESTS FOR VACATION

Vacation leave will be granted at a time which is mutually acceptable to the employee, their supervisor and the department head, consistent with the demands of the department and should be requested of their supervisor or department head as far in advance as possible. The department head has the discretionary authority to approve, deny and cancel any vacation leave request for good cause. Each department head may set criteria for vacation scheduling that take into account specific conditions of their department. Vacation time may be taken in 30-minute increments.

21.05 HOLIDAYS DURING VACATION

Paid holidays and official holidays occurring during an employee's vacation period will not be counted against the vacation leave.

21.06 VACATION LEAVE UPON TERMINATION

When an employee terminates, vacation leave which is unused at the time of termination will be granted in the form of compensation for that time. An employee who terminates that was hired prior to January 1, 2020 will also receive accrued vacation leave at the time of termination. The employee's termination date may not be extended to include unused vacation time for the purpose of extending benefits. The employee's effective termination date shall always be the last day worked. If employment is terminated during the introductory period, accrued vacation leave will be paid out at the time of separation.

If an employee fails to give at least fourteen (14) days written notice before resigning from employment, he/she will not be entitled to unused, accrued vacation upon termination.

21.07 INTERRUPTION OF SERVICE

An employee who has worked a minimum of three (3) consecutive years who has an interruption in employment of one year or less

shall be credited with prior full-time service. After an interruption of more than one year, a returning employee shall be treated as a new employee for purposes of calculating vacation time earned and shall not receive credit for prior service.

22.00 PERSONAL LEAVE

22.01 POLICY

The City of West Lafayette provides its regular full-time and regular part-time employees personal leave who must be absent from normal duties to take care of personal business. Personal leave will not be considered hours worked for the computation of overtime pay or earning compensatory time.

22.02 MAXIMUM PERSONAL DAYS GRANTED

After the Training/Orientation Period, a regular full-time and regular part-time employee hired prior to July 1 shall be granted two personal days of leave in a calendar year. Personal leave cannot be carried over from one year to the next. Upon termination an employee will not be compensated for unused personal leave.

22.03 REQUESTING PERSONAL LEAVE

An employee should request personal leave from their supervisor or department head 48 hours in advance of the period to be absent from normal duties unless the need for personal leave is not foreseeable or it is otherwise not possible to make the request in advance. Personal leave may be taken in one-quarter (1/4) hour increments, subject to approval by your supervisor and/or department head.

23.00 EXTENDED LEAVE WITHOUT PAY

The Board or Public Works and Safety, upon the request of a department head, may grant an extended leave without pay and/or fringe benefits to an employee. Extended leave shall total no more than 60 working days, excluding leave taken under the Family and Medical Leave Act. The department head or their designee is responsible for maintaining a permanent record of extended leave for each employee. An employee will not be granted extended leave under this section until he/she has exhausted any unused vacation leave, personal leave and compensatory time.

24.00 HOLIDAYS WITH PAY

24.01 POLICY

The City of West Lafayette designates certain days to be observed as paid holidays in each calendar year for all regular full-time and regular part-time employees. The holiday pay will be based upon the normal scheduled workday. Regular part-time employees shall be entitled to holiday leave on a *pro rata* basis. Holidays will be considered hours worked for the computation of overtime pay or earning compensatory time.

24.02 DESIGNATED HOLIDAYS

The days of the official holidays for the City of West Lafayette for the succeeding calendar year will be designated by the Mayor and presented by memorandum from the Human Resources Director by December 20th of each year. The Street and Sanitation Department may schedule other days to be observed in lieu of such holidays in order to maintain services.

The Mayor, at their discretion, will designate which days departments and offices of the City of West Lafayette will be open and closed.

24.03 PERSONAL HOLIDAY DAY (PHD)

Patrol Dispatchers, full-time Wellness Center employees, and Water Resource Recovery Maintenance are entitled to 14 (fourteen) personal holiday days (PHD) of leave per calendar year in lieu of the City designated holidays. Patrol Dispatcher, full-time Wellness Center employees, and Water Resource Recovery Facility Maintenance hired mid-year will receive the equivalent number of personal holiday days as there are remaining city designated holidays. An employee must use the PHD in full-day increments and should request personal holiday leave from their supervisor or department head 48 hours in advance of the period to be absent from normal duties.

24.04 WORKING ON A DESIGNATED HOLIDAY

Water Resource Recovery Facility operators whose normal day off falls upon a designated holiday of the City shall have a regularly scheduled workday off with pay as assigned by the immediate supervisor. The supervisor will schedule the alternate workday off in the same pay period. All other employees (other than police dispatch, Water Resource Recovery Facility maintenance, and full-time Wellness Center employees) who work a designated holiday will be compensated in accordance with the salary ordinance regardless of hours worked in the scheduled work week.

24.05 NON-PAID HOLIDAYS

Seasonal, temporary, and variable employees are not eligible for paid holidays.

25.00 BEREAVEMENT LEAVE

The City of West Lafayette provides its regular full-time and regular part-time employees with bereavement leave to attend the funeral of a family member and to handle personal affairs.

1. Employees will be allowed up to five days of paid leave for the death of a spouse, child, parent and corresponding in-law, or step-relative of your spouse.
2. Employees will be allowed up to three days of paid leave for the death of a grandparent, grandchild, sibling, and corresponding in-law, or step-relative of your spouse.
3. Employees will be allowed one day of paid leave for the death of an uncle, aunt, niece, nephew.
4. Employees will be allowed one-half day of paid leave to attend a funeral service for a co-worker in the same department, subject to the staffing needs of your department as determined by your department head.

An employee in need of more bereavement must use vacation, personal leave, or compensatory time, or seek approval for additional unpaid leave through their department head, who shall review each request on a case-by-case basis. Bereavement leave will not be considered hours worked for the computation of overtime pay or earning compensatory time.

An employee may be asked to provide documentation of the death, such as a newspaper report.

26.00 PAID SICK LEAVE

26.01 POLICY

The City of West Lafayette provides sick leave to its regular full-time and regular part-time employees and allows for the accrual of unused sick leave, within certain limitations. Annual sick leave is a privilege granted to an employee as a protection, IN CASE OF NEED, should he/she become ill and not able to work, should an illness strike a member of the immediate family or for medical appointments of the employee or a spouse or child of the employee. Sick leave will not be considered hours worked for the computation of overtime pay or earning compensatory time. Paid sick leave may be used in one-quarter (1/4) hour increments.

26.02 REGULAR EMPLOYEES

Annual sick leave will accrue at the rate of .0385 hours per scheduled work hours, including all paid leave, for regular full-time employees, but not for hours worked in excess of scheduled work hours. Ninety (90) days is the maximum sick leave which can be accumulated by an employee during the course of their employment. Sick leave will accrue at the rate of 0.385 hours on a *pro rata* basis for regular part-time employees based on the number of hours scheduled in their work week.

26.03 DOCTOR'S CERTIFICATION

Upon the request of a supervisor or department head, an employee may be required to present a doctor's certificate, signed by the attending physician, to be entitled to paid sick leave.

26.04 SICK LEAVE UPON TERMINATION

Upon termination of employment, employees will be paid for unused sick leave, up to a maximum of 45 full days. Employees

hired before May, 1986 who have up to 60 days of accrued sick leave upon termination of employment will be compensated in full for the first 30 days of accrued sick leave, and will be compensated for one half of the next 30 days, for a total of 45 full days of compensation. Employees hired after May 1986 who have up to 90 days of accrued sick leave upon termination of employment will be compensated for one half of the balance, or a total of 45 full days of compensation.

A day shall mean a regularly scheduled workday for that employee.

If an employee fails to give at least fourteen (14) days written notice before resigning from employment, he/she will not be entitled to unused, accrued sick leave upon termination.

27.00 COURT AND JURY LEAVE

The City of West Lafayette grants employees leave to serve on a jury in any state, federal, or local court without loss of pay. An employee should notify their supervisor or department head upon receipt of a summons. In order to be entitled to jury duty leave, an employee must refund any jury duty compensation from the court to the City by remitting such payment to the Finance Office. While on jury duty leave, the employee will retain all benefits and continue to accrue sick leave and vacation. The duration of the jury duty will be considered hours worked for the computation of overtime pay and earning compensatory time. However, the maximum hours of work credited per day cannot exceed the hours in the employee's regularly scheduled workday. An employee appearing in court on their own behalf, as a subpoenaed witness, or as a party in a lawsuit, is required to use a paid personal day, vacation leave or must take the time off as unpaid leave.

28.00 FAMILY AND MEDICAL LEAVE ACT

28.01 POLICY

The City of West Lafayette provides up to twelve weeks of leave in accordance with the Family and Medical Leave Act ("FMLA") to all eligible employees. The City of West Lafayette utilizes a rolling twelve-month period for the determination of eligibility for FMLA leave.

The Human Resources Manager is responsible for administering the City of West Lafayette's FMLA policy. Any questions about the application of the FMLA to an employee's circumstances or any other questions about the FMLA or this policy should be directed to the Human Resources Manager.

28.02 ELIGIBLE EMPLOYEES

An employee is eligible for FMLA leave if he/she:

- A. has been employed by the City for at least 12 months, and
- B. has been employed by the City for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave.

Employees who do not satisfy these requirements are not eligible for FMLA leave but may be eligible for other leave in accordance with the City of West Lafayette policy.

28.03 REQUIREMENTS

An employee may request a total of 12 weeks (60 workdays) of leave during a 12-month period for the following reasons:

- A. because of the birth of a child of the employee and in order to care for such child;
- B. because of the placement of a child with the employee for adoption or foster care and to care for such child;
- C. in order to care for a husband or wife including married same-sex partner, regardless of residency.; or a son or daughter; or parent of an employee who has a serious health condition (reasonable documentation of the family relationship may be required), or
- D. because of a serious health condition that makes the employee unable to perform one or more of the essential functions of the employee's position.

“Serious health condition” is a term that is specifically defined in the FMLA. The Human Resources Manager can provide additional information regarding this term.

28.04 PAID AND UNPAID LEAVE

An employee is required to exhaust all accrued paid vacation, personal and sick leave for any part of the 12-week period of FMLA leave, unless the FMLA leave is due to a work-related injury/illness. If an employee is on FMLA leave, the unused accrued leave will remain intact but not accrue during that leave.

After the exhaustion of all accrued paid vacation, personal and sick leave, the remaining time in the FMLA leave period shall be unpaid.

An employee may request to use accrued compensatory time for an FMLA reason. If the employee is paid during the absence from the employee’s accrued compensatory time account, it may not be counted against the employee’s FMLA leave entitlement.

28.05 REQUEST FOR FMLA LEAVE

If leave is foreseeable, i.e. expected birth or placement of a child, planned medical treatment for a serious health condition of the employee or the employee’s spouse including married same-sex partner, child or parent, the employee must notify the Human Resources Manager of the duration of the leave and the date leave will begin at least 30 days in advance of leave commencing. When the need for leave is not foreseeable, or when it is not possible to give 30 days’ notice, an employee must give notice as soon as practicable, or within no more than two working days of learning of the need for leave.

In the case of a worker’s compensation claim that is also covered by FMLA leave, the Human Resources Manager will notify the employee in writing the effective starting date of the leave.

28.06 FAMILY AND MEDICAL LEAVE TAKEN

INTERMITTENTLY OR ON A REDUCED LEAVE BASIS

An employee may take FMLA leave on an intermittent or a reduced leave basis when medically necessary for medical treatment for or recovery from a serious health condition or periods of incapacity due to an employee’s or an employee’s spouse including married same-sex partner, child, or parent’s serious health condition. Such leave must be supported by a certification from the employee’s or the employee’s spouse including married same-sex partner, child, or parent’s health care provider stating that the medical need can best be accommodated through an intermittent or reduced leave schedule.

28.07 TIME LIMIT

The maximum amount of FMLA leave an employee may take is 12 weeks (60 workdays), including all accrued paid vacation, personal and sick leave, within any 12-month period. An employee who has exhausted their 12 weeks and is still unable to return to work due to their serious health condition, may request additional leave as a reasonable accommodation under the Americans with Disabilities Act.

28.08 CERTIFICATION

When the need for leave is foreseeable, the employee should provide the Human Resources Manager with a certification supporting the need for FMLA leave from their health care provider or from the spouse’s including married same-sex partner’s, child or parent’s health care provider before the leave begins. If this is not possible, the employee must provide the certification within 15 calendar days after the City’s request for such certification. The certification must be on the form provided by the City and can be obtained from the Human Resources Manager. If the City has reason to doubt the validity of the certification, the employee may be required to obtain a second opinion of a health care provider, designated or approved by the City of West Lafayette, and at the expense of the City of West Lafayette. If the opinion of a third healthcare provider is required, it will be at the expense of the City and the City and the employee must jointly approve the health care provider.

Except as otherwise provided by the Family and Medical Leave Act and accompanying regulations, during a period of FMLA leave, the employee is required to provide to Human Resources subsequent re-certifications every 30 days for the duration of leave.

Upon return from FMLA leave for an employee’s serious health condition, the employee shall be required to supply Human Resources with certification, at the employee’s expense, from their health care provider that he/she is able to resume work.

28.09 MAINTENANCE OF BENEFITS

During any FMLA leave, the City of West Lafayette shall maintain all group health plan benefits the employee was entitled to at the time the leave commenced. However, the City of West Lafayette will only maintain the portion of the employee’s group health plan benefits that it was paying at the time the employee’s FMLA leave commenced. It is the responsibility of the employee to pay their portion of their health plan benefits during the period of FMLA leave in a timely manner as specified by the Finance Office.

Employees do not accrue additional seniority or employment benefits during unpaid FMLA leave. An employee returning from FMLA leave is entitled to no greater right, benefit or position than the employee would have been entitled to had he/she not taken the period of FMLA leave.

The City of West Lafayette may recover the premiums paid for maintaining group health plan benefits for the employee during the period of FMLA leave if the employee fails to return because of any reason or circumstance other than the continuation of, reoccurrence or onset of a serious health condition that would entitle the employee to a period of FMLA leave or any other circumstance that is beyond the control of the employee.

28.10 RESTORATION

Subject to 29 C.F.R. § 825.216 and provisions of this policy. Upon return from FMLA leave, an employee is entitled to be restored to the position of employment he/she held at the time the period of leave commenced or to be restored to an equivalent position, with equivalent benefits, pay and other terms and conditions of employment.

28.11 RECORDING OF LEAVE UNDER THE FAMILY AND MEDICAL LEAVE ACT

The Human Resources Manager is responsible for maintaining a permanent record of an employee’s FMLA leave.

28.12 CONSEQUENCES OF EMPLOYEE’S FAILURE TO MEET THEIR OBLIGATIONS UNDER THE FMLA

An employee who fails to meet their obligations to the City under the FMLA as described above may be denied the benefits and protections of the FMLA in accordance with applicable law.

An employee may not maintain secondary employment while on FMLA leave for their own serious health condition if it creates an actual or apparent conflict of interest or the restriction relates to a bona fide occupational requirement. Additionally, fraudulent use of FMLA leave in situations that lie outside of the medical or other parameters for which the leave was approved is considered grounds for immediate termination

28.13 UNLAWFUL ACTS OF EMPLOYERS

The FMLA makes it unlawful for any employer to:

- (a) interfere with, restrain, or deny the exercise of any right provided under FMLA;
- (b) discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

The FMLA does not affect any federal or state law prohibiting discrimination.

28.14 FMLA – MILITARY FAMILY LEAVE ENTITLEMENTS

The National Defense Authorization Act of 2010 (NDAA 2010) was signed into law on October 28, 2009, this new law includes an expansion of the recently enacted exigency and caregiver leave

provisions for military families under the Family and Medical Leave Act of 1993.

28.15 MILITARY CAREGIVER LEAVE

A. An employee is eligible for military caregiver leave if he/she is the service member's spouse including married same-sex partner, child, parent, or nearest blood relative.

B. A "Covered Service Member" is a current member of the Armed Forces, including the National Guard, or Reserves.

C. An eligible employee is limited to a combined total of up to 26 weeks of unpaid leave in a 12-month period.

28.16 QUALIFYING EXIGENCY LEAVE

A. An employee is eligible for exigency leave if he/she has a spouse, son, daughter, or parent on active duty, or has been notified of an impending call or order to active duty, in support of a contingency operation.

B. Qualifying exigency leave is available to a family member of a military member in the National Guard or Reserves; it only extends to family members of military members in the Regular Armed Forces if deployed on active duty in a foreign country.

C. An eligible employee may take up to a total of 12 weeks of unpaid leave.

D. Qualifying exigencies include: short-notice deployment (a week or less in notice of deployment); military events and related activities; urgent child care and related activities; financial and legal arrangements; counseling; rest and recuperation; post-deployment activities; and any other event that the employee and the employer agree is a qualifying exigency.

28.17 NOTICE REQUIREMENTS

A. Employees seeking to use military caregiver leave must provide 30 days advance notice of the need to take FMLA leave for a planned medical treatment for a serious injury or illness of a covered service member. If 30 days advance notice is not practicable, then he/she must provide notice as soon as practicable – generally, either the same or next business day.

B. An employee must provide notice of the need for the foreseeable leave due to a qualifying exigency as soon as practicable.

28.18 CERTIFICATION REQUIREMENTS

A. Leave to care for a covered service member must be supported by a certification completed by an authorized health care provider or by a copy of an Invitational Trade Order (ITO) or Invitational Travel Authorization (ITA) issued to any member of the covered service member's family.

B. Leave for a qualifying exigency must be supported by a copy of the covered military member's active duty orders and certification providing the appropriate facts related to the particular qualifying exigency for which leave is sought, including contact information if the leave involves meeting with a third party.

29.00 MILITARY FAMILY LEAVE

Effective July 1, 2007, Governor Daniels signed into law the Military Family Leave Act. Under this Act, employees may take up to 10 days of unpaid leave per year during one or more of the following periods:

A. during the 30-days before active duty orders are in effect,

B. during a period in which the person ordered to active duty is on leave while active duty orders are in effect,

C. during the 30 days after the active duty orders are terminated.

29.01 ELIGIBLE EMPLOYEES

An employee is eligible for military family leave if he/she:

A. is the spouse including married same-sex partner, parent, grandparent, or sibling of the service person, as defined in Ind. Code Section 22-2-13, and

B. has been employed by the City for at least 12 months, and

C. has been employed by the City for at least 1,500 hours of service during the 12-month period immediately preceding the commencement of the leave.

29.02 REQUEST FOR LEAVE

Employees must give written notice of a request for leave, including a copy of the active duty order if available, to Human Resources of a request for leave at least 30 days prior to the requested leave, unless the service person's active duty orders are issued less than 30 days prior to the requested leave. If an employee fails to provide verification, the city may consider the employee's absence unexcused.

29.03 MAINTENANCE OF BENEFITS

During any family military leave, the City of West Lafayette shall maintain all group health plan benefits the employee was entitled to at the time the leave commenced. However, the City of West Lafayette will only maintain the portion of the employee's group health plan benefits that it was paying at the time the employee's family military leave commenced. It is the responsibility of the employee to pay their portion of their health plan benefits during the period of family military leave in a timely manner as specified by the Finance Office.

29.04 RESTORATION

An employee returning from military family leave will be restored to the same or equivalent position of employment he/she held at the time the period of leave commenced unless the reason for not restoring the employee to the same or equivalent position is unrelated to their use of military family leave.

29.05 PAID AND UNPAID LEAVE

An employee may choose to substitute accrued vacation leave or compensatory time for any or all of the unpaid family military leave.

30.00 MILITARY LEAVE

The City of West Lafayette provides military leave to any City employee who is a member of the Indiana National Guard, a member of a reserve component or branch of the United States Military, or a member of the retired personnel of the naval, air or ground forces of the United States in compliance with the Uniformed Services Employment and Re-employment Rights Act and the Indiana Code. All employees requiring military leave shall give advance notice as soon as practicable to their supervisor of when they shall require military leave. In accordance with I.C. § 10-16-7-5, a City employee is entitled to receive a leave of absence in addition to regular vacation period without loss of time or pay for the time the employee is on training duties of the state of Indiana under the order of the governor as commander in chief; or, for the time a City employee is a member of any reserve component under the order of the reserve component authority. This leave shall be paid military leave for any consecutive or nonconsecutive period that does not exceed a total of fifteen (15) days in any calendar year. Paid military leave pursuant to I.C. § 10-16-7-5 will be considered hours worked for the computation of overtime pay and earning compensatory time. However, the maximum hours of work credited per day cannot exceed the hours in the employee's regularly scheduled workday. A City employee who is a member of the Indiana National Guard is also entitled to military leave of absence in addition to the employee's regular vacation period for the total number of days that the employee is on state active duty in accordance with I.C. § 10-16-7-7. Military leave pursuant to I.C. § 10-16-7-7 shall be unpaid; however, an employee may use their personal leave or vacation on those days when military leave is required. Eligibility for reinstatement after completion of military duty or training is determined in accordance with applicable federal and state laws.

31.00 TOBACCO FREE WORKPLACE POLICY

Effective July 1, 2007, in keeping with Ordinance No. 28-05 and with the City of West Lafayette's intent to provide a safe and

healthful work environment for its employees, customers, and visitors, smoking, which includes e-cigarettes or similar vaping devices, is prohibited in any City owned or leased building.

31.01 POLICY

Smoking shall not be permitted in any indoor work area. This includes common work areas, conference and meeting rooms, private offices, elevators, hallways, employee lounges, stairs, restrooms, shops, warehouses, and vehicles used for business. This policy applies to all employees, suppliers, visitors, and customers.

Employees who need to smoke at work may do so during their scheduled 15-minute break period. Each building owned or leased by the City shall establish a smoking area in accordance with this policy and utilize the following guideline:

- Smoking shall occur at a distance not closer than 15 feet from a ventilation system or a public entrance to any area where smoking is prohibited to ensure that tobacco smoke does not enter the area through entrances, windows, ventilation systems or any other means.

31.02 SUPPORT FOR TOBACCO USERS

Tobacco users who want to quit may contact the Human Resources Department for information on tobacco cessation programs and other available resources.

31.03 COMPLIANCE

Compliance with the smoke-free workplace policy is mandatory for all employees and persons visiting the City, with no exceptions. Employees who violate this policy are subject to disciplinary action.

32.00 SAFETY POLICY

The City of West Lafayette and all employees of the City are obligated to comply with the safety standards set by the Occupational Safety and Health Act (OSHA) as well as other federal, state and local regulations. Safety is a shared responsibility. It is the City's responsibility to provide a working environment free of unreasonable health hazards, to provide training and instruction regarding proper working methods, and to make available special clothing and equipment required to protect employees from risks. It is the responsibility of each employee to report safety hazards and violations immediately, to learn and observe established safety regulations and to use the protective equipment provided.

If any employee observes an unsafe condition caused by faulty equipment or work practices, environmental hazards, inadequate training or information, carelessness, or any other factor, he/she shall report it immediately to a supervisor. Any safety hazard that is not addressed should be reported to the department head and/or Human Resources.

Every work-related injury or illness must be reported to a supervisor immediately, but no later than the beginning of the next work shift. The supervisor is responsible to see that a First Report of Injury/Illness form is completed and forwarded within two (2) business days to the Human Resources Manager and the City's workers compensation administrator. Such reporting is necessary to comply with reporting requirements of OSHA, to ensure appropriate treatment and payment and to identify accident trends and prevent recurrences. Coverage may be denied for claims that are not reported on a timely basis.

33.00 WORKPLACE VIOLENCE

33.01 POLICY

The City of West Lafayette seeks to provide a work environment free from violence and threats of violence against individuals, groups, or employees, or threats against company property-including partner violence that may occur on city property. This policy requires that all individuals on company premises or while representing the City conduct themselves in a professional manner consistent with good business practices and in absolute conformity with non-violence principles and standards.

33.02 DEFINITION

Workplace violence is defined as a single behavior or series of behaviors which constitute actual or potential assault, battery, harassment, intimidation, threats or similar actions, attempted destruction, or threats to City or personal property; which occur in a City workplace, while using City resources, at a City work location, or while an employee is engaged in City business.

The City strictly prohibits use of violence or threats of violence in the workplace and views such actions very seriously. The possession of weapons in the workplace, threats, threatening or menacing behavior, stalking, or acts of violence against employees, visitors, guests, or other individuals by anyone on City property will not be tolerated. Violations of this policy will lead to disciplinary actions up to and including termination of employment and the involvement of appropriate law enforcement authorities as needed.

Any person who makes substantial threats, exhibits threatening behavior, or engages in violent acts on City premises shall be removed from the property as quickly as safety permits, and may be asked to remain away from City premises pending the outcome of an investigation into the incident. People who commit these acts outside the workplace, but which impact the workplace are also violating this policy and will be dealt with appropriately. The City reserves the right to respond to any actual or perceived acts of violence in a manner it sees fit according to the particular facts and circumstances.

33.03 REPORTING PROCEDURE

Employees are responsible for notifying their supervisor or department head of any threats which they have witnessed, received, or have been told that another person has witnessed or received, including those related to partner violence. Supervisors and/or department heads shall respond promptly by verbally reporting the incident to Human Resources. Even without an actual threat, employees should also report any behavior they have witnessed which they perceived as threatening or violent, when that behavior is job related or might be carried out on a city-controlled site or is connected to city employment. Employees are responsible for making this report regardless of the relationship between the individual who initiated the threat or threatening behavior and the person(s) who were threatened or were the focus of the threatening behavior. If the supervisor or department head is not available, employees should report the threat immediately to Human Resources.

34.00 POSSESSION OF FIREARMS AND WEAPONS

34.01 POLICY

Ensuring a safe work environment and the prevention of workplace violence is of utmost importance to the City of West Lafayette. Weapons inside the workplace pose a potential threat to the safety and security of our employees and to the citizens we serve. The carrying of a firearm of any kind while inside a city facility, inside a company-owned vehicle, or while conducting city business, on or offsite, is strictly prohibited, and will be subject to discipline, up to and including termination.

34.02 BRING YOUR GUN TO WORK ACT

The "Bring Your Gun to Work" Act, allows appropriately licensed employees to bring firearms and ammunition onto the property of their employers as long as the weapons and ammunition are locked in a glove box or trunk or stored out of plain sight in a locked vehicle. This also applies to employees who may have a concealed to carry permit.

34.03 DEFINITIONS

Firearm – means a gun, whether loaded or unloaded, that discharges shot or a projectile by means of an explosive, a gas or compressed air.

34.04 REPORTING OBLIGATIONS

Any employee who is aware of a firearm within a city facility or that an employee has a firearm on their possession while engaging

in company business off-site, has an obligation to report this information immediately to their supervisor, or Human Resources.

35.00 WORKPLACE BULLYING

35.01 POLICY

The purpose of this policy is to communicate that the City of West Lafayette will not in any instance tolerate bullying behavior. Employees found in violation of this policy will be disciplined, up to and including termination.

35.02 PROHIBITED CONDUCT

The City defines bullying as repeated inappropriate behavior, either direct or indirect, whether verbal, physical, or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment. Such behavior violates the City's belief that all employees be treated with dignity and respect.

As in sexual harassment, it is the effect of the behavior on the individual that is important. The City considers the following types of behavior examples of bullying:

- a. Verbal bullying: Slandering, ridiculing or maligning a person or their family; persistent name calling that is hurtful, insulting or humiliating; using a person as butt of jokes; abusive and offensive remarks.
- b. Physical bullying: Pushing, shoving, kicking, poking, tripping, assault or threat of physical assault, damage to a person's work area or property.
- c. Gesture bullying: Nonverbal threatening gestures; glances that can convey threatening messages.
- d. Exclusion: Socially or physically excluding or disregarding a person in work-related activities.

36.00 WORKERS' COMPENSATION

36.01 POLICY

In accordance with the Indiana Workers' Compensation Act, the City carries worker's compensation insurance on all City employees in order to provide coverage for injuries and illnesses arising out of and in the course of employment. Such insurance shall include coverage for medical benefits and lost wages.

36.02 REPORTING PROCEDURE

All-work related injuries, *no matter how slight*, shall be recorded on the First Report of Employee Injury/Illness form and transmitted to the City's insurance carrier within two (2) business days of the injury or illness. A copy of such form shall be forwarded immediately to the Human Resources Manager for record keeping purposes.

The City has the right to direct treatment of work-related injuries. Initial treatment must be provided by the City's designated facility. In the case of an emergency, the employee should be taken to the nearest urgent care or emergency care facility. An employee who chooses to see his or her own personal physician, or any other provider, will not be eligible for benefits from the City's health plan or from the City's workers' compensation plan.

The City reserves the right to require an employee involved in an accident at work or during work hours or in a City vehicle to submit to drug and alcohol testing as permitted by law.

37.00 CITY VEHICLES

37.01 POLICY

Use of City-owned vehicles is restricted to City employees carrying out the business of the City. Employees must use assigned City vehicles for the purpose(s) authorized and must not permit unauthorized passengers. All personal use, other than for commuting or de minimis personal use (such as a stop for a personal errand on the way between a business delivery and the employee's home), is prohibited.

Damages or accidents involving city vehicle should be reported to the department head or supervisor immediately.

37.02 PERSONAL USE VEHICLES

Only employees authorized by the Mayor and who reside in Tippecanoe County are required to use a vehicle owned or leased by the City for commuting to and from work shall be eligible to be assigned a take-home vehicle. The personal use of the vehicle for commuting shall be valued using the IRS Commuting Valuation Rule. An employee will reimburse the City through payroll deduction for the value of commuting in a take home vehicle. Commuting use that is fully reimbursed will not be reported as a taxable fringe benefit.

An employee using a take home vehicle must submit monthly reports to the Finance Department which show the daily commute usage and mileage log. The mileage log shall be submitted to the employee's department head.

The Board of Public Works and Safety shall approve the Take Home Vehicle Policy effective January 1 of each year in compliance with the Internal Revenue Code, subject to change at the discretion of the Board of Public Works and Safety.

37.03 NON-PERSONAL USE VEHICLES

An employee who is required to commute in a non-personal use vehicle is exempt from the Commuting Valuation Rule. Use of qualified non-personal use vehicles for commuting and other allowable authorized purposes is considered a working condition benefit and is not taxable to the employee. Non-personal use vehicles are defined by the IRS and include clearly marked police and fire vehicles and unmarked vehicles used by a law enforcement officer for officially authorized purposes.

Vehicles which are not designated for commuting status shall be kept on City premises during non-business hours and shall not be used for personal purposes.

37.04 SAFE DRIVING RECORD

Employees using a City vehicle will be subject to periodic driving record checks by the Bureau of Motor Vehicles at least annually. An employee convicted of a moving violation, an alcohol or drug related offense, or whose license is expired, suspended, or revoked and/or who is unable to obtain required endorsements must notify their department head immediately. The City's property and casualty insurer may determine, based on an employee's driving record, that the employee will no longer be covered under the City's insurance policy. If a non-CDL employee does not meet the City's insurer's standards, he/she may temporarily be placed in a non-driving capacity or may be terminated depending on the employee's position. A CDL driver may be subject to termination if he/she does not meet the City's insurer's standards. If having a driver's license is part of an employee's essential job function, and the employee's driver's license has not been reinstated within thirty (30) days, then the employee is subject to termination.

37.05 COMMERCIAL DRIVER'S LICENSE

Employees required to have a Commercial Driver's License (CDL) must comply with all Department of Transportation drug and alcohol testing procedures and the City's controlled substances policy for CDL drivers. Employees are responsible for keeping their CDL current. Loss of a CDL may result in termination of employment if one of the employee's primary job functions is driving a city-owned vehicle. If one of an employee's primary job functions is driving a vehicle that requires a CDL, and the CDL is suspended for a period not to exceed thirty days, an employee will be suspended from employment for the length of the CDL suspension. The employee may use accrued personal leave or vacation, but the remainder of the thirty-day period is unpaid. Loss of a CDL may result in termination of employment if one of the employee's primary job functions is driving a vehicle that requires a CDL and the license suspension is for more than thirty days, or regardless of the period of the suspension, if the CDL is suspended for a reason that constitutes a violation of City policy.

39.00 TRAVEL AND EXPENSE REIMBURSEMENT

City employees may be reimbursed for actual miles traveled in their own vehicles to carry out that employee's official City duties, responsibilities or activities, or to obtain approved training, at a rate per mile as fixed by the Board of Public Works and Safety. Reimbursed mileage shall not include travel to and from the employee's home and the governmental office in which he/she works.

When traveling outside the county on official City business, employees may be reimbursed for meals, lodging and other necessary travel expenses. The claim for reimbursement must be itemized and supported by receipts as required by the State Board of Accounts.

Provisions of the Fair Standards Labor Act (FLSA) determine whether time spent in travel counts as hours of work, depending upon the kind of travel involved. Examples of travel time are generally included in four scenarios: Home to Work on a Special One-Day Assignment in Another City; Home to Work Travel; Travel that is All in a Day's Work; and Travel Away from Home Community. Employees may contact the Human Resources Director for questions pertaining to travel time compensation.

39.00 GRIEVANCE PROCEDURE

39.01 POLICY

The City of West Lafayette strives to provide prompt consideration and equitable resolution of employee grievances. It is the desire of the City of West Lafayette to resolve grievances informally whenever practicable. Both supervisors and employees are expected to make a good faith effort to resolve each situation as it arises.

Terminated employees are not eligible for the grievance procedure unless the grievance falls under EEOC, ADA or FMLA. If you believe that you have been terminated due to harassment and discrimination based on sex (with or without sexual conduct), race, color, religion, national origin, ancestry, age, handicap, disability, sexual orientation or protected activity (such as, opposition to prohibited discrimination or participation in the statutory complaint process) or for exercising a right under the FMLA, please refer to Appendix 2.

39.02 PROCEDURE

A grievance should be relayed by an employee to their immediate supervisor, in writing, within the working hours of the day that the event causing the grievance occurred. The supervisor will report the grievance to the department head and the Human Resources Director and will then attempt to resolve the grievance as soon as possible and will render their decision either orally or in writing to the aggrieved within twenty-four (24) hours.

Appeal to the department head: a grievance not resolved by the supervisor must be presented to the department head.

If the aggrieved employee presents the grievance to the department head, it must be in writing, signed and dated by the aggrieved and presented to the department head within two (2) working days of the decision rendered by the supervisor.

The department head will contact the Human Resources Director and will review the grievance and render their written decision to the aggrieved within three (3) working days.

Appeal to the Board of Public Works and Safety or the Board of Parks and Recreation: A grievance not resolved by the supervisor or department head must be written and submitted to the president of the appropriate board by the aggrieved. Grievances originating from the Clerk's Office shall be appealed to the City Council.

A. The written grievance must be signed and dated by the aggrieved and submitted to the appropriate board within two (2) working days of the decision rendered by the department head. A copy of the written grievance shall be delivered to the Human Resources Director.

B. The appropriate board shall review the grievance and render a written decision to the aggrieved within three (3) working days of the second regularly scheduled meeting of the appropriate board, following the submission of the grievance.

C. When resolution is reached, the supervisor or department head must document the resolution. Copies must be forwarded to all involved parties and the Human Resource Director.

40.00 DRUG-FREE WORKPLACE

The City of West Lafayette is committed to providing a drug-free workplace. In order to maintain the highest level of public confidence, safety and reputation of our working environment, the City will take all reasonable measures to ensure that drugs and alcohol do not jeopardize the safety of our operations or the quality of City services. The manufacture, sale, purchase, distribution, dispensation, possession, or illegal use of drugs or alcohol while on City premises, during working hours, including break and meal periods, while operating a City vehicle or while operating any other vehicle while on City business at any time is strictly prohibited. It is also a violation of City policy for an employee to report to work under the influence of alcohol or illegal drugs. These actions constitute serious violations of the City policy and can create situations that are unsafe or that substantially interfere with job performance. If the City has a reasonable suspicion that an employee is under the influence of drugs and/or alcohol, the City will require the employee to undergo a drug and/or alcohol test. The City may also require a drug and/or alcohol test if an employee is involved in an accident at work or during work hours or in a City vehicle. Refusal of testing will result in termination of employment. A positive test result will result in disciplinary action up to and including termination, even for the first violation of this policy.

As a condition of employment with the City of West Lafayette, employees shall:

(i) abide by the terms of the City's Drug Free Workplace Policy; and

(ii) notify the Human Resources Director or the employee's department head of any criminal drug or alcohol statute conviction or guilty plea for a violation occurring in the workplace, during work hours or while operating or occupying a City vehicle or while operating any other vehicle while on City business no later than five (5) days after the conviction or guilty plea.

The City provides a confidential Employee Assistance Program ("EAP") for employees who desire counseling and/or rehabilitation services. Information regarding the City's EAP is available from the Human Resources Director.

City employees who are required to hold a commercial driver's license ("CDL") because of work they may be required to perform as City employees are subject to additional requirements mandated by the U.S. Department of Transportation. A separate policy addresses these additional requirements and will be provided to employees who hold CDLs.

41.00 DISCIPLINARY ACTION

41.01 POLICY

It shall be the duty of all employees to maintain high standards of cooperation, efficiency, economy and ethics in their work for the City of West Lafayette. The department head and/or supervisor shall organize and direct the work of their units to achieve these objectives.

Behavior that fails to meet the City's established standards of performance or conduct will be addressed promptly. Disciplinary action shall be determined by an employee's supervisors, based upon the totality of the circumstances, and shall be appropriate to the severity, frequency and consequences of the employee behavior. Severe offenses, particularly those that are illegal, unethical or dangerous, may warrant immediate suspension or termination.

41.02 DOCUMENTATION

All disciplinary action, including a verbal warning, shall be documented in writing and entered into the employee's official personnel file maintained by the Human Resources Department. In order to protect the employee's privacy, all written records shall be kept confidential, except as prescribed by law, and shall be accessible only to those in the direct chain of command, Human Resources, or others with a specific legal right to the information.

41.03 PROCEDURE

Whenever an employee's work habits, attitude, production or personal conduct falls below the prescribed standard, the department head or supervisor shall point out the deficiencies within a reasonable time after they are observed and remind the employee of the City's acceptable level of performance. A reasonable time to correct the deficiencies may be provided before disciplinary action is taken, depending on the severity of the deficiency.

Any of the offenses listed below may be sufficiently serious to warrant immediate termination. For these or any other infractions, supervisors and department heads shall administer appropriate discipline, which may include any or all the following: coaching and counseling, verbal warning, written reprimand, probation, suspension, demotion or termination. Some incidents warrant immediate formal disciplinary action.

The below list is illustrative, not exhaustive.

41.04 GROUNDS FOR DISCIPLINARY ACTION (including immediate termination):

- a. Actions which discredit the City of West Lafayette or hinder the function of City government. Examples of this include, but are not limited to: unacceptable work performance, such as failure to follow operational procedures or other misconduct, inefficiency, neglect of duties, incompetence, insubordination, laziness, sleeping on the job or malfeasance;
- b. providing false or misleading information on the employment application or other employment record, including but not limited to time-keeping records;
- c. falsifying City documents or documents that an employee provides to the City;
- d. discourtesy to citizens or persons doing business with the City;
- e. unauthorized possession of firearms, knives, weapons, explosives and other dangerous or hazardous substances during work hours whether on or off City premises;
- f. violation of the City's attendance policy;
- g. reporting to work under the influence of alcohol or other intoxicants, illegal substances or drugs not prescribed by a practicing physician or dentist, or the use, possession, distribution, transfer or trafficking of these substances on the job, job site or during working hours, including when on break, whether on or off City premises or other violation of the City's Drug Free Workplace Policy;
- h. willful, reckless or careless misuse or abuse of City property;
- i. accidents in a city vehicle determined to be attributable to the driver as the direct result of recklessness, negligence, carelessness, or who openly displays a total disregard for the safe operation of the vehicle and its occupants, pleading guilty or no contest to a crime or being convicted of a crime while employed by the City that is reasonably related to City business, that occurs on City premises or that involves a City vehicle, including but not limited to driving under the influence or moving traffic violations, such as reckless driving or speeding while operating a City vehicle or while on City business;
- j. theft or other removal of City property without authorization;
- k. removal of articles of value without authorization of a property owner while performing City services;
- l. unauthorized use of equipment, willful damage of or tampering with equipment, unauthorized modification or alteration of equipment such as removal of safety guards or devices;

- m. verbal or physical assault by an employee on other City employees or citizens, including but not limited to threatening, intimidating, or harassing fellow employees or members of the public or other disorderly conduct that is a hindrance to the function of City services;
- n. verbally or physically refusing to perform assigned or directed work responsibilities;
- o. behavior which disrupts the work of others or which in any way contributes to a disharmonious or hostile work environment;
- p. engaging in or condoning racial, sexual or other harassment in the workplace or other violation of the City's Equal Employment Opportunity policy;
- q. excessive use of telephone, e-mail or Internet for personal reasons or otherwise conducting personal business during work hours;
- r. failure to work safely, including but not limited to failure to wear required personal protective equipment or other violations of the Safety Policy listed in this Personal Manual;
- s. working carelessly or otherwise not following safety procedures that result in personal injury to co-workers or damage to City property;
- t. failure to follow any other policy listed in this Personnel Manual.

The above shall not prohibit immediate formal disciplinary action, including discharge, whenever the interest of the City requires such action. The City's use of different types and levels of discipline does not alter the City's policy of employment at will. The City may terminate an individual's employment, or the individual may terminate their own employment, with or without cause and with or without notice, at any time.

42.00 EMPLOYEE CONFERENCES

Employee conferences shall be conducted and documented on at least an annual basis by the department head. At that time, discussions will focus on job performance, development opportunities, and define goals. Both the supervisor and the employee shall sign the document reflecting the conference. The signature only verifies the accuracy of the written description of the discussion and does not necessarily indicate agreement with the review. The original document shall be maintained in the Human Resources Department and shall only be viewed by the employee's immediate supervisor, department head and Mayor. If the employee is a Clerk's office employee, then the documentation of the employee conference shall only be viewed by the Clerk.

43.00 SEPARATION

Because City employees are at-will employees, their employment may be terminated at any time by either the City or the employee. Subject to the at-will provision, following are conditions relating to different types of employment separation:

43.01 RESIGNATION OR RETIREMENT

To resign in good standing, any employee should give at least fourteen (14) calendar days prior notice in writing to their supervisor. If an employee fails to give at least fourteen (14) days' notice, he/she will not be entitled to paid accrued vacation or sick leave upon resignation.

43.02 IMPLIED RESIGNATION

An employee who without valid reason fails to report to work or contact their department head for three (3) consecutive working days without authorization shall be considered as having resigned.

43.03 LAY-OFF

Any involuntary separation other than for disciplinary reasons such as a lack of available work and/or budget constraints, shall be considered a lay-off.

A. Factors that may be considered in determining order of layoff include performance history, skill level, length of service and attendance history (excluding leave under the FMLA).

B. Regular employees to be laid off shall be notified in writing by the supervisor at least fourteen (14) calendar days prior to the effective date of lay-off if feasible.

43.04 RESTRUCTURING

An employee's position is eliminated or significantly changed due to a restructuring within the employee's department. If possible, department heads will give at least fourteen (14) calendar days' notice before a position is eliminated. The City will make every effort to place employees affected by a restructuring in other available positions, although the City makes no guarantee a suitable position will be available.

43.05 DISABILITY

An employee is totally and permanently disabled and is unable to perform the essential functions of their job, despite reasonable accommodation. In such cases, an employee may be eligible for disability compensation through long-term disability insurance or the Indiana Public Retirement System (INPRS).

43.06 TERMINATION

An employee is discharged for failure to meet job requirements, for violation of the City's employment policies or work rules, or for any other lawful reason.

43.07 DEATH

When a regular employee dies, their estate shall be eligible to receive the earned salary and accrued vacation, payment for compensatory time, accrued clothing allowance, life insurance and sick leave due at the next pay period.

43.08 SEPARATION DATE

The official date of separation is always the last day actually worked, and benefits are calculated up to and including that date. If an employee is on leave when a resignation is tendered or an employee is involuntarily terminated, the effective date will be the date the City is notified of the intent to resign or the date of the termination. In no case can employment be extended by using paid or unpaid time off.

Employees will receive their final paycheck(s) via direct deposit into their bank account in accordance with applicable state law. Employee benefits will be affected by employment termination in the following manner.

All accrued, vested benefits that are due and payable at termination will be paid. Some benefits may be continued at the employee's expense if the employee chooses. The employee will be notified in writing regarding benefits that may be continued and of the terms, conditions, and limitations of such continuance.

43.09 EXIT PROCESS

An employee who separates from the City, for whatever reason, may be requested to complete an exit interview questionnaire sent to the employee by Human Resources. Additionally, the employee may be asked to voluntarily participate in an interview with a representative of the Human Resources Department on or before the last day of employment. The exit interview provides for the uniform treatment of departing employees. It is a vehicle to advise employees of their right of benefits, collect all City property, identify and resolve management problems and obtain data on separations as a basis for analyzing turnover.

If an employee moves after employment is terminated, they should provide the City with a current address so W-2 forms and other pertinent information can be properly and timely delivered. Employees maintain access to Munis Self Service-Employee (MSS) after termination of employment and may view W-2 forms and other information there.

APPENDIX 1

COMPENSATORY TIME OFF AGREEMENT

Effective April 15, 1986, exempt and non-exempt employees may receive compensatory time off in lieu of monetary overtime compensation in accordance with Section 7(o) of the Fair Labor Standards Act ("FLSA"), and the terms of this Agreement. This Agreement is an express condition of employment. The compensatory time received may be preserved, used or cashed out consistent with §7(o) of the FLSA. This Agreement does not apply to elected officials and, unless compensatory time is authorized by the Mayor in writing, does not apply to department heads and deputy chiefs.

Each department head may set limits on the amount of compensatory time departmental employees can accrue, subject to the following limitations:

Compensatory time off for exempt and non-exempt employees shall be entitled to compensatory time on an hour-for-hour basis for each hour (or portion thereof) worked in excess of 37.5 but less than or equal to 40 in a work week.

Compensatory time off for non-exempt employees required to work beyond forty (40) hours per week, will be earned at the rate of one and one-half (1-1/2) times for each hour (or portion thereof) actually worked over forty (40) hours in an established workweek. Exempt employees will earn compensatory time on an hour-for-hour basis for each hour (or portion thereof) actually worked over forty (40) hours in a workweek. Exempt employees may accumulate up to 40 hours of compensatory time off. Exempt employees may not exceed, nor will they be compensated for additional hours in excess of the 40-hour maximum. Any unused compensatory time exceeding 40 hours by an exempt employee will be forfeited.

Non-exempt employees may accumulate up to 80 hours of compensatory time off. Non-exempt employees will receive monetary compensation at one and one-half (1 ½) times their regular pay rate at the time of payment for any additional overtime hours. A department head or elected official can elect to pay off all or a portion of the accrued compensatory time anytime during the calendar year.

All accrued compensatory time should be used by the end of the year in which it is accrued. An exception may be made for hours accrued in the final quarter of a year, which should be used in the first quarter of the following year. Accrued time that is not used by a non-exempt employee by year end shall be paid unless budget constraints prohibit such payment, in which case it will be carried over to the immediately following year as an exception to the above terms and conditions.

All overtime work that exceeds the employee's regularly scheduled work week must be approved in advance by the employee's supervisor or department head prior to working overtime, except in an emergency. Unauthorized overtime work may lead to disciplinary action, up to and including termination. Holiday, jury duty, and military leaves will be considered hours worked for the computation of compensatory time. However, the maximum hours of work credited per day cannot exceed the hours in an employee's regularly scheduled workday. Other absences, including vacation, sick leave, personal days, bereavement leave, or any other leave of absence shall not be considered hours worked for the computation of compensatory time off. Accrued vacation and sick leave cannot be converted to compensatory time off.

You may use earned compensatory time off with the approval of your supervisor. Your request for compensatory time off will be granted within a reasonable period, unless the requested time off would unduly disrupt operations. You will receive compensation based on your regular pay rate in effect when the compensatory time off is actually taken.

The City of West Lafayette may elect to substitute monetary overtime for earned compensatory time off, either at the time overtime is actually worked or in any later period. Monetary

overtime compensation will be based on your regular pay rate at the time of payment.

The City of West Lafayette may also elect to apply earned compensatory time off to hours you have missed due to personal absence, short workweeks, layoffs, or leaves of absence, including medical leaves if not covered by paid sick days, disability pay, etc., but excluding leave under the Family and Medical Leave Act. In periods of slack work, it may be necessary to schedule time off, to which earned compensatory time off will be applied.

In the event you leave employment for any reason, you will be paid for earned compensatory time off at your final regular rate of pay, or your average rate during the last three years of employment, whichever is higher.

This Agreement is intended only to set forth our understanding concerning your compensatory time and overtime compensation; it does not constitute an employment agreement or an employment contract. Either you or the City of West Lafayette may terminate your employment at any time and for any lawful reason. In such case, final compensation will be provided for all work actually performed on or before the next regular pay date following termination.

APPENDIX 2

WORKPLACE HARASSMENT POLICY AND COMPLAINT PROCEDURE

It is the policy of the City of West Lafayette that the following types of harassment and discrimination against employees and members of the public are prohibited and will not be tolerated: harassment and discrimination based on race/color, religion, sex (including pregnancy), age, disability, family or parental status, marital status, sexual orientation, gender identity and/or expression, national origin/ancestry, genetic information, or past or present military service, or protected activity (such as, opposition to prohibited discrimination or participation in the statutory complaint process). Prohibited harassment and discrimination demean individual dignity and lower the productivity of the City's workforce in serving the public and is in violation of long-standing policy of the City. This policy covers prohibited harassment and discrimination by anyone in the workplace—supervisors, co-workers, and non-employees.

Responsibility

No employee of the City shall engage in harassment or discrimination based on race/color, religion, sex (including pregnancy) age, disability, family or parental status, marital status, sexual orientation, gender identity and/or expression, national origin/ancestry, genetic information, or present military service, or protected activity (such as, opposition to prohibited discrimination or participation in the statutory complaint process). It is the special responsibility of department heads to ensure that this prohibited harassment or discrimination does not occur and to make it known that prohibited harassment and discrimination are not tolerated in their respective departments.

Employees are subject to this policy while on City premises or acting as City representatives on any occasion. This policy forbids prohibited harassment and discrimination of other employees or any members of the public or other persons with whom the employee has contact in the course of employment.

Prohibited Conduct

A. Discrimination and Harassment

Examples of harassment and discrimination based upon race, color, sex, religion, national origin, ancestry, age, handicap, disability, sexual orientation and protected activity (such as, opposition to prohibited discrimination or participation in the statutory complaint process), may include but are not limited to:

1. A pattern of conduct which has the intent or effect of discomforting or humiliating that may include any of the following: (a) comments regarding sex, race, age, color, religion, national origin, ancestry, handicap, disability, sexual orientation and protected activity (such as, opposition to prohibited discrimination or participation in the statutory complaint process), (b) questions, jokes or anecdotes regarding sex, race, age, color, religion, national origin, ancestry, handicap, disability, sexual orientation and protected activity (such as, opposition to prohibited discrimination or participation in the statutory complaint process), (c) stereotyping based upon sex, race, color, religion, national origin, ancestry, age, handicap, disability or sexual orientation, or (d) remarks about sex, race, color, religion, national origin, ancestry, age, handicap, disability, sexual orientation and protected activity (such as, opposition to prohibited discrimination or participation in the statutory complaint process).
2. Displays of materials, such as pictures, posters or cartoons, which have the effect of creating a hostile environment based upon sex, race, color, religion, national origin, ancestry, age, handicap, disability or sexual orientation.
3. Discrimination or unfair treatment because of sex, race, age, color, religion, national origin, ancestry, handicap, disability, sexual orientation and protected activity (such as, opposition to prohibited discrimination or participation in the statutory complaint process) in hiring, firing, pay promotion, benefits, working environment or any other job aspect or employment decision.
4. Sexual harassment is one type of sex discrimination. (See "B".)

The existence of all types of prohibited harassment and discrimination, particularly the creation of a "hostile environment", is judged based upon the perception of a reasonable person, as well as the subjective perception of the victim. As an employee or a supervisor, you should be sensitive to whether any behavior is causing discomfort to another person, whether intended or not.

B. Sexual Harassment

Examples of sexual harassment include but are not limited to, sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

1. Submitting to the conduct is an explicit or implicit condition of employment, promotion or advancement or avoiding adverse action or the receipt of City services; or
2. The conduct has the purpose or effect of substantially interfering with an individual's employment or creating an intimidating or hostile or offensive environment for the individual's employment or receipt of City services.

The following are examples of conduct that may constitute sexual harassment:

- a. Physical assault.
- b. Direct propositions of a sexual nature.
- c. Direct or implied threats that submission to sexual advances will be a condition of employment, promotion, advancement or avoiding adverse action.
- d. Unwelcome attention, which is reasonably perceived to be pressure for sexual activity, such as repeated and unwanted staring or comments with sexual overtones.
- e. A pattern of conduct which has the intent or effect of discomforting or humiliating that includes any of the following: (1) comments of a sexual nature, (2) sexually explicit statements, questions, jokes or anecdotes, (3) gender stereotyping, (4) remarks about sexual activities, or (5) unnecessary touching, patting, hugging or brushing against a person's body.
- f. Displays of sexual materials, such as pictures, posters or cartoons, which have the effect of creating a hostile environment.

Amorous or sexual relationships, sexual activity of any kind and requests for sexual activity of any kind, even those that are allegedly "consenting", between any management employee and any person over whom he/she has any degree of power or authority, are prohibited.

Complaint Procedure

Employees, or members of the public in the case of discrimination in the provision of City services, are strongly encouraged to rely on this policy and the commitment of the City that prohibited harassment and discrimination will not be tolerated.

All employees or members of the public who believe that they have been harassed or discriminated against in any manner because of race, religion, color, sex (including sexual harassment), age, national origin, ancestry, handicap, disability, sexual orientation or protected activity are strongly encouraged to use this procedure. Additionally, all employees who believe that they have been denied an Equal Employment Opportunity (i.e. hiring, firing, lay-off, pay, promotion, benefits, working atmosphere, and any other term, condition, or privilege of employment) in any manner because of race, religion, color, sex (including sexual harassment), age, national origin, ancestry, handicap, disability or sexual orientation are strongly encouraged to use this procedure. Employees or members of the public who believe that they have been discriminated against in violation of the Americans with Disabilities Act and employees who believe their rights under the Family and Medical Leave Act have been interfered with may also use this procedure.

If you are an employee and you believe you have been harassed or discriminated against as described in this policy, you should contact your supervisor as soon as possible. If you believe your supervisor is involved with or engaging in the harassment or discrimination, or if for any other reason you are uncomfortable talking to your

supervisor, you may contact the City's Director of Human Resources, Diane Foster at 775-5108 or your department head.

All supervisors who receive complaints of harassment or discrimination or are otherwise aware of harassment or discrimination must immediately report the complaints of harassment or discrimination to the City's Human Resources Director, Diane Foster.

Complaints of harassment and discrimination may be brought by any employee as outlined above. Employees are encouraged to report harassment before it becomes severe or pervasive. The City is committed to preventing harassment and stopping it before it reaches this level.

Any member of the public may report prohibited harassment or discrimination to a department head or the Mayor.

All complaints by employees and members of the public regarding harassment and discrimination will be investigated promptly, thoroughly and impartially in accordance with the City's procedure. The City will protect the confidentiality of allegations of harassment and discrimination to the extent possible.

Employees or members of the public who make complaints of harassment or discrimination or provide information related to such complaints will be protected against retaliation. The City will not tolerate adverse treatment of employees or members of the public because they report harassment or discrimination or provide information related to such complaints.

Employees who feel that they have been harassed or discriminated against on the basis of race, religion, color, sex (including sexual harassment), age, national origin, ancestry, handicap, disability, or protected activity should also be aware that they have the right to file charges of unlawful harassment or discrimination with the EEOC or Indiana Civil Rights Commission. The deadline for filing a complaint of discrimination with the Indiana Civil Rights Commission is 180 days from the date of unlawful harassment or discrimination, and the deadline for filing a charge of discrimination with the EEOC is in some instances 180 days and in some instances 300 days from the date of unlawful harassment or discrimination, NOT from the date that the complaint to the employer is resolved. You should contact the Indiana Civil Rights Commission and the EEOC to ensure you meet the correct deadline. Although the City intends to fully, promptly and impartially investigate all complaints of harassment and discrimination, employees are not required to wait until the City has completed its investigation to file a charge of discrimination with the EEOC or Indiana Civil Rights Commission.

Employee Discipline

A person directly involved in prohibited harassment or discrimination as described in this policy will be subject to discipline up to and including termination. Any supervisor who knows or reasonably should know that prohibited harassment or discrimination is occurring and fails to act reasonably to halt or prevent the harassment or discrimination will be subject to discipline up to and including termination. All employees, and especially supervisory personnel, have a responsibility to assure that employees and members of the public are not subjected to prohibited harassment or discrimination of any nature by a City employee, including the existence of a "hostile environment."

Making charges of harassment or discrimination that are knowingly or intentionally false may be the basis for discipline.

APPENDIX 3

Permissible Deductions for Salaried Employees

The Fair Labor Standards Act (FLSA) is a federal law which requires that most employees in the United States be paid at least the federal minimum wage for all hours worked and receive overtime pay at time and one-half the regular rate of pay for all hours worked over 40 hours in a workweek.

However, Section 13(a)(1) of the FLSA provides an exemption from both minimum wage and overtime pay for employees employed as bona fide executive, administrative, professional and outside sales employees. Section 13(a)(1) and Section 13(a)(17) also exempt certain computer employees. To qualify for exemption, employees generally must meet certain tests regarding their job duties and be paid on a salary basis at not less than \$684 per week. Job titles do not determine exempt status. In order for an exemption to apply, an employee's specific job duties and salary must meet all the requirements of the Department's regulations.

Salary Basis Requirement

To qualify for exemption, employees generally must be paid at not less than \$684 per week on a salary basis. These salary requirements do not apply to outside sales employees, teachers, and employees practicing law or medicine. Exempt computer employees may be paid at least \$684 on a salary basis or on an hourly basis at a rate not less than \$27.63 an hour. Being paid on a "salary basis" means an employee regularly receives a predetermined amount of compensation each pay period on a weekly, or less frequent, basis. The predetermined amount cannot be reduced because of variations in the quality or quantity of the employee's work. Subject to exceptions listed below, an exempt employee must receive the full salary for any workweek in which the employee performs any work, regardless of the number of days or hours worked. Exempt employees do not need to be paid for any workweek in which they perform no work. If the employer makes deductions from an employee's predetermined salary, i.e., because of the operating requirements of the business, that employee is not paid on a "salary basis." If the employee is ready, willing and able to work, deductions may not be made for time when work is not available.

Circumstances in Which the Employer May Make Deductions from Pay

Deductions from pay are permissible when an exempt employee: is absent from work for one or more full days for personal reasons other than sickness or disability; for absences of one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness; to offset amounts employees receive as jury or witness fees, or for military pay; or, for unpaid disciplinary suspensions of one or more full days imposed in good faith pursuant to the City's disciplinary policies. Also, an employer is not required to pay the full salary in the initial or terminal week of employment; for penalties imposed in good faith for infractions of safety rules of major significance; or, for weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act. In these circumstances, either partial day or full day deductions may be made.

City Policy

It is the City's policy to comply with the salary basis requirements of the FLSA. Therefore, the City prohibits all supervisors and department heads from making any improper deductions from the salaries of exempt employees. The City wants employees to be aware of this policy and that the City does not allow deductions that violate the FLSA.

What to Do If an Improper Deduction Occurs

If you believe that an improper deduction has been made to your salary, you should immediately report this information to the Human Resources Director who shall in turn report it to the Finance Department.

Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be promptly reimbursed for any improper deduction made.

APPENDIX 4

CODE OF ETHICS

Introduction

No Employee, Elected Official or Officer (referred to collectively in this policy as “Employees”) shall accept any goods, services, or other thing of monetary value from any Person seeking special considerations or influence as to any action by the City or any of its Agencies, Employees, Elected Officials or Officers in their official capacity. Likewise, no Employee shall accept or be influenced by any family member or friend receiving any goods, services or things of monetary value from anyone for the purpose of rendering special consideration or influence. The employee should make this stance clear to family and friends should the situation arise.

However, nothing in this policy prohibits the receipt of political or other contributions that are lawful and are reported in accordance with Indiana law and/or are accepted by an authorized individual on behalf of the City or an Agency.

- *Elected Official means the City’s duly elected Mayor, City Clerk, and Common Council members.*
- *Employee means any individual, other than an Elected Official, who is employed by the City.*
- *Agency means every department, office, Board, commission, committee, or other internal division or group of the City.*

Gifts or Honoraria

Employees shall not accept gifts or honoraria from any entity or individual doing or seeking to do business with the City, even if otherwise acceptable under the introduction of this policy, if they individually, or in total, exceed the value of One Hundred and no/100 dollars (\$100.00) in any calendar year, unless an exception is approved by the Mayor in writing.

- *Gifts or Honoraria* means money or other property that is given to an Employee without reasonable value being provided in exchange. This includes not only “outright” gifts, but an item sold at materially lower-than-market price.
- *Monetary Value* means any money, thing of value, service or economic benefit conferred upon or received by any Employee from any Person (except the City or an Agency in its capacity as the individual’s employer) in return for services rendered or to be rendered.

Gifts and honoraria do NOT include the following:

1. Food or drink consumed by an Employee, or a member of their immediate family in connection with official City business or at public ceremonies, at a convention, reception or gathering of other public officials and/or municipal employees;
2. Reasonable travel or other expenses paid or reimbursed as a result of speaking engagements, educational training or personal appearances made by virtue of an Employee’s position or duties;
3. An award, plaque, certificate, or similar personalized memento given in recognition of the Employee’s public civic, charitable, or professional service;
4. An honorary membership in a service or fraternal organizational presented merely as a courtesy by such organization;
5. The use of a public facility or public property, made available by a governmental agency, for a public purpose;
6. Invitations or tickets to political fundraisers, non-profit events, or governmental events for use by the Employee and their immediate family;
7. Discounts also given to members of a particular class of individuals irrespective of employment with the City of

West Lafayette (e.g., public service discounts, public safety discounts); or

8. Mementos or souvenirs of nominal value received at public ceremonies while conducting official City business; or
9. Door prizes given in connection with a City-approved training, City-sponsored events, or celebrations.

Improper Use of Official Position

No Employee shall use or permit the use of their official position, or funds or property under their official control, direction or custody, for a purpose that is primarily for the private benefit of the Employee, for the private benefit of any family member, partner, friend, or other individual.

However, nothing in this policy shall prohibit the private use of property that is available on equal terms to members of the public generally (e.g., library books or golf courses), the use of property in harmony with City policy in the conduct of official business, the use of vehicles or other equipment by off-duty Employees in compliance with departmental rules, and/or the employment of any Employee.

- The “use-of” or “borrowing-of” or “taking-of” city equipment (or materials and inventory for personal reasons or gain is strictly prohibited. This applies to all Employees regardless of position or appointment.

Nepotism

To comply with the provisions of IC 36-1-20.2, *et seq.* and 36-1-21, *et seq.* and Ordinance 15012 (Amended), the City does not employ individuals related by blood, adoption, or marriage (including step relationships) in any capacity where (1) a relative is supervised by or within the chain of command of another, or (2) one relative indirectly reports to the other or one relative has effective input into decisions concerning the terms and conditions of the other’s employment.

This includes a spouse; parent or step-parent; child, step-child, adopted child, or child-in-law; sibling (including step- and half-siblings); niece, nephew, aunt, uncle; or other relations that may adversely affect any employee or the City’s interests in any manner.

Conflict of Interest

The City’s reputation is a direct reflection of the business conduct of all Employees. To protect and enhance the City’s reputation, all Employees must be guided by the highest standard of conduct in their business contacts and relationships. It is important to avoid not only any situation that is an obvious conflict of interest, but also any situation that would constitute a conflict of interest under Indiana Code 35-44-1-3 or that might give the appearance of being a conflict of interest.

If an Employee or a member of the Employee’s Immediate Family has a Material Financial Interest in, or derives a profit from an entity, or has a substantial investment or connection to entity, that might benefit from their employment dealings with the City, the Employee must file a Conflict of Interest Disclosure with the City’s Clerk for processing.

- *Material Financial Interest* means ownership of a Business Entity.
- *Business Entity* means a sole proprietorship, partnership, unincorporated association, trust, firm, corporation and/or limited liability company.

Federal Fund Sub Recipient (per INDOT)

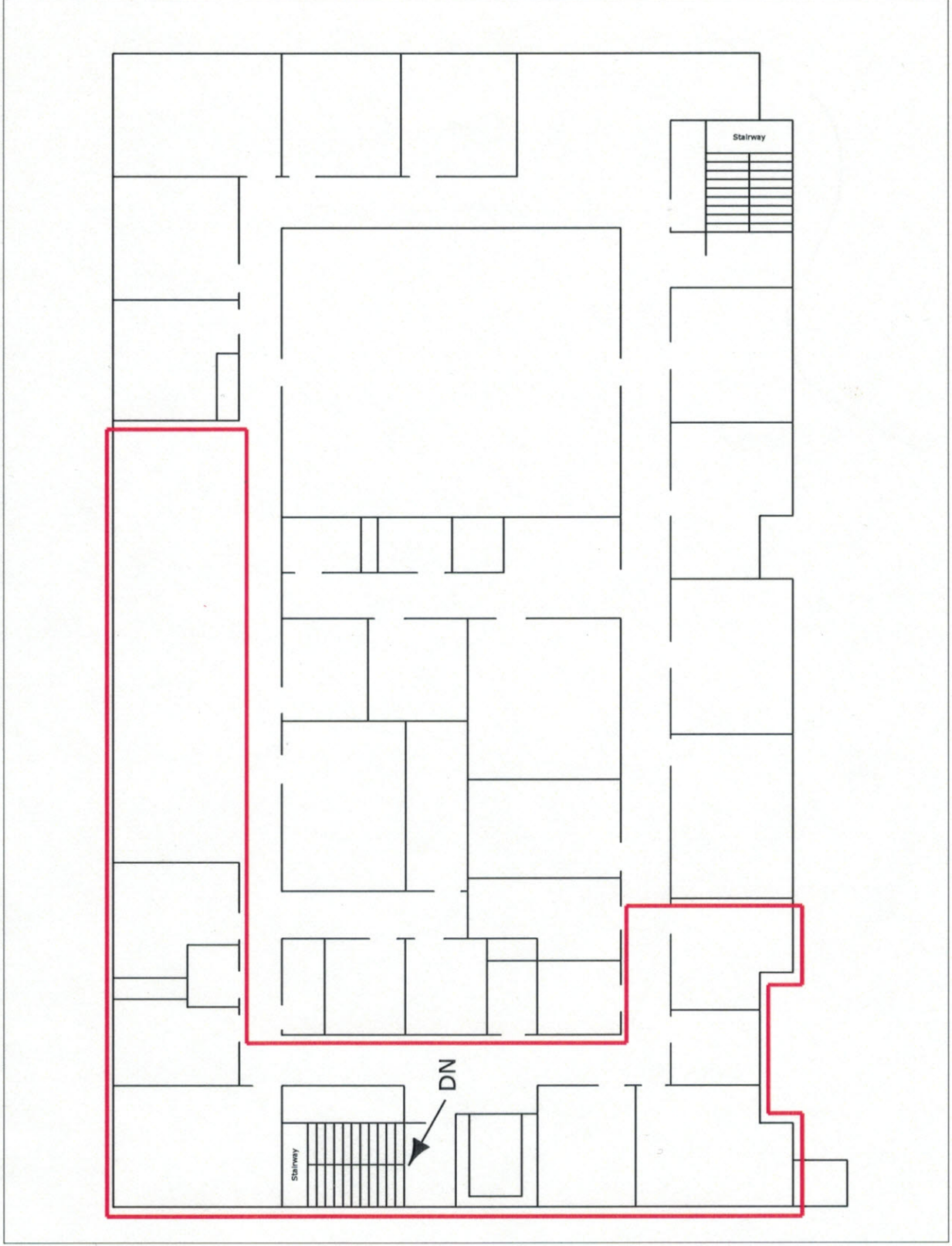
The City of West Lafayette is considered a local government who receives federal transportation funds and it is a federal fund sub recipient of INDOT. Per Indiana Department of Transportation (INDOT) Professional Services Contract Administration Manual (June 2016) sub recipients are prohibited from participating in selection, or in the award or administration of a contract supported

by federal funds if a conflict of interest, real or apparent, would be involved per INDOT, Chapter 2, Code of Ethics which states:

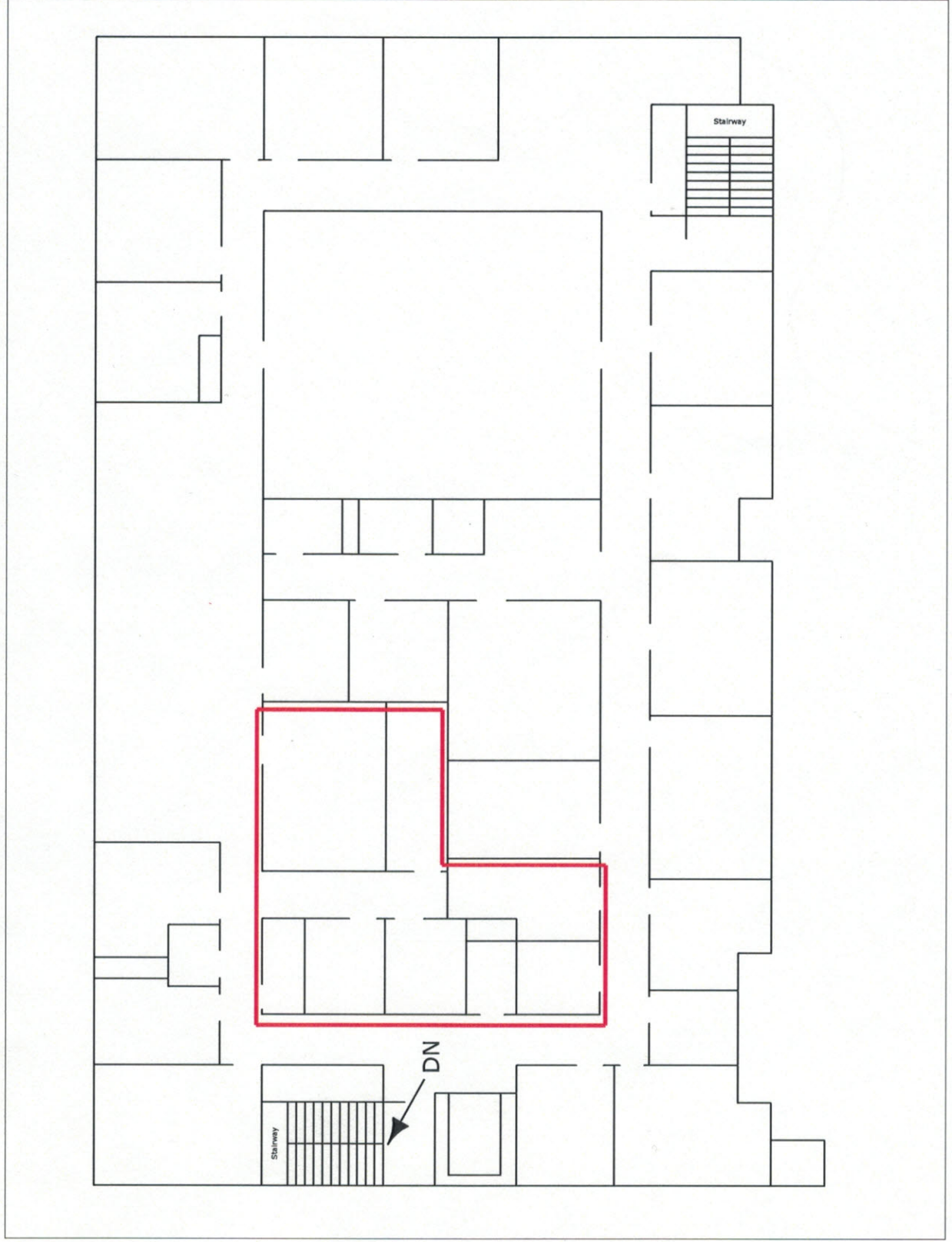
- *Prohibits employees from participating in decision making in circumstances where the employee, officer or agent, employee's partner, family member or an organization that employs or is about to employ any of the listed would have a potential financial interest in the outcome.*
- *Consider the interest of the state and INDOT when contracting for professional services.*
- *Seek to obtain the maximum value for each dollar spent for professional services.*
- *Request removal from any situation in which a personal relationship may affect judgment in selection, administration or performance evaluation activities.*
- *Avoid unnecessary sharing of internal INDOT information, including project or program information that may result in giving a competitive advantage to a select firm or firms.*
- *Those who select, award or administer a contract accept nothing of monetary value from consultants, potential consultants, or parties to sub agreements, which include lunches, dinners, tickets to events, etc. (mementos or souvenirs of nominal value may be accepted).*

Second Floor Escape Plans.pdf

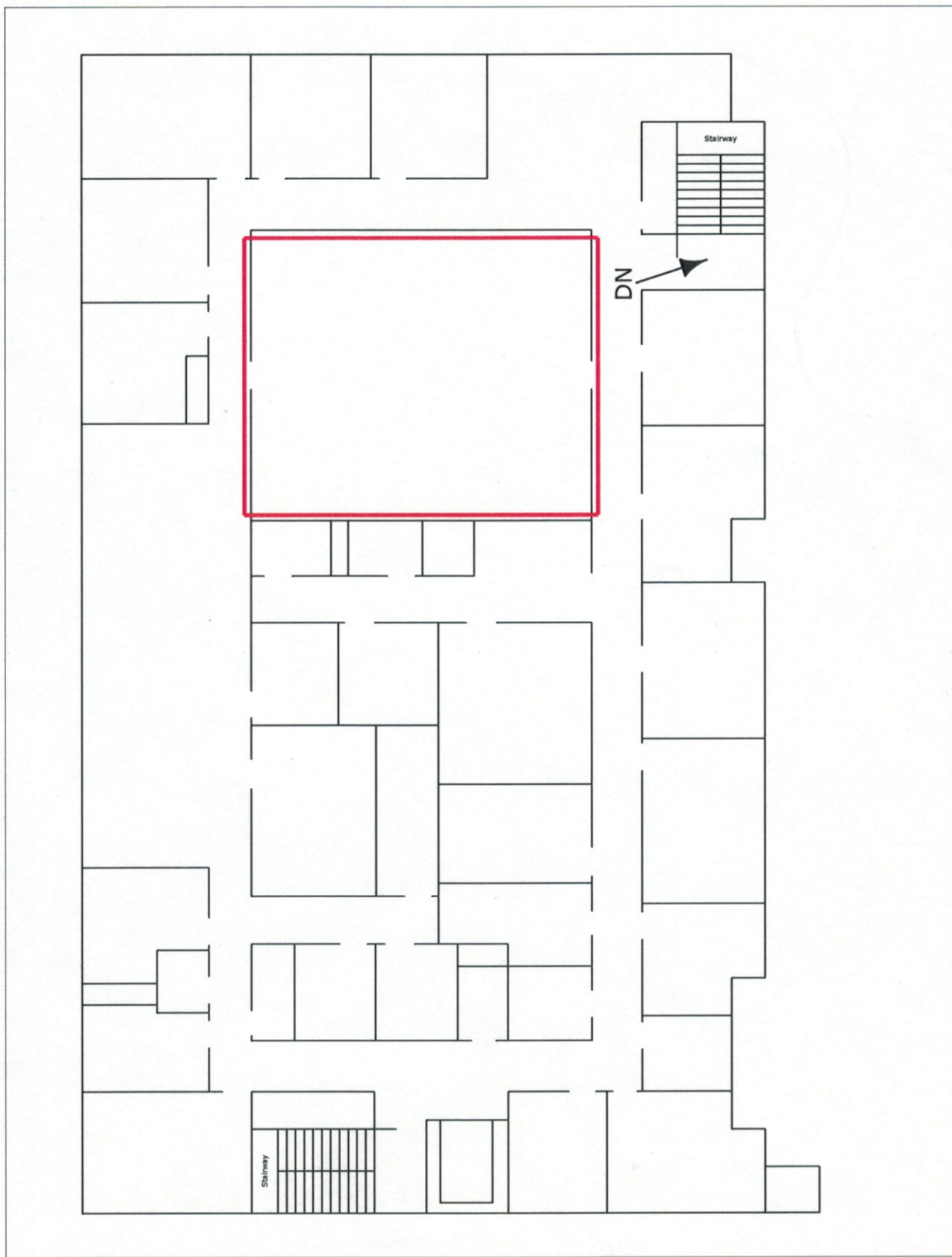
WLPD - Second Floor



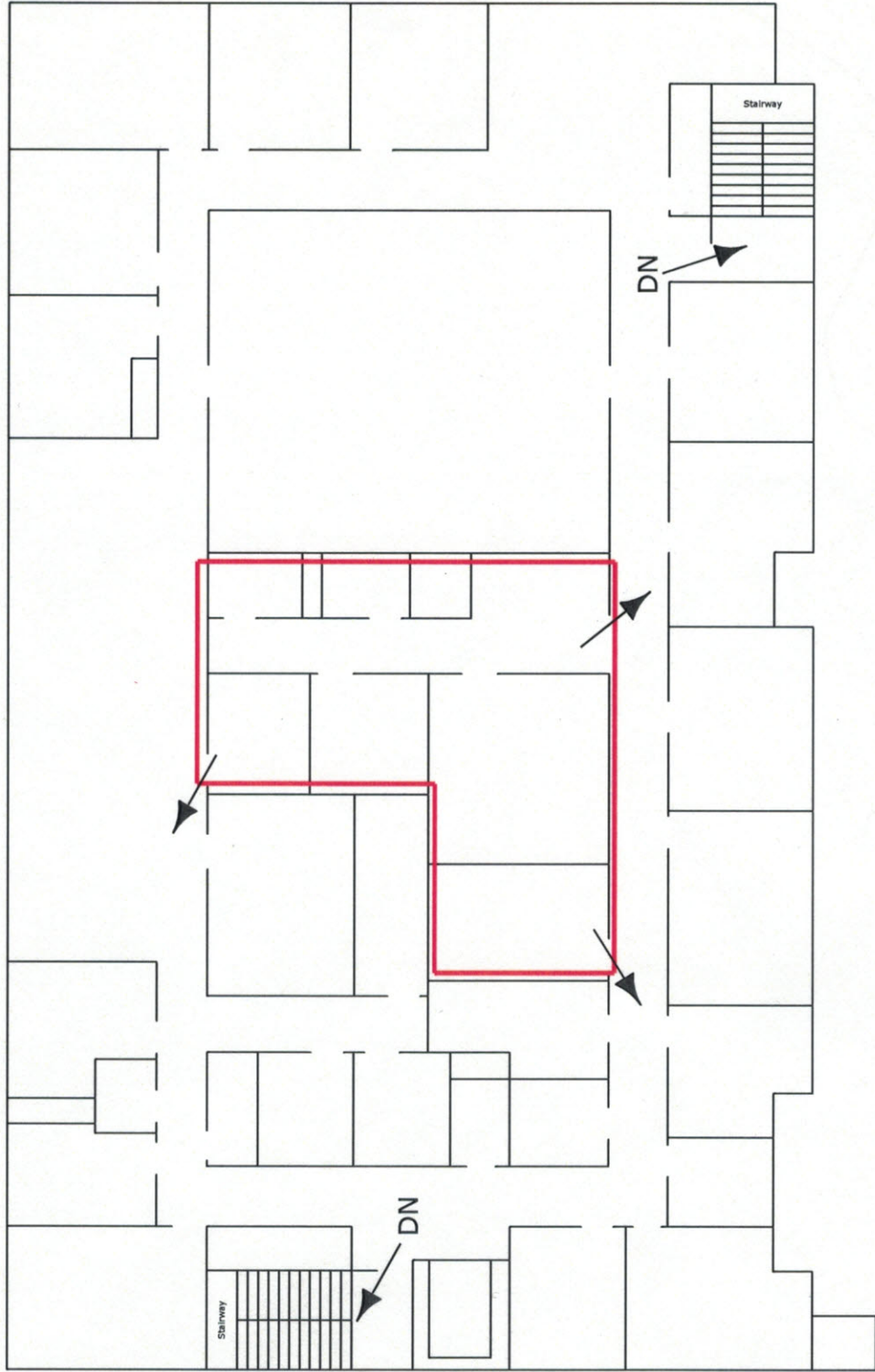
WLPD - Interview



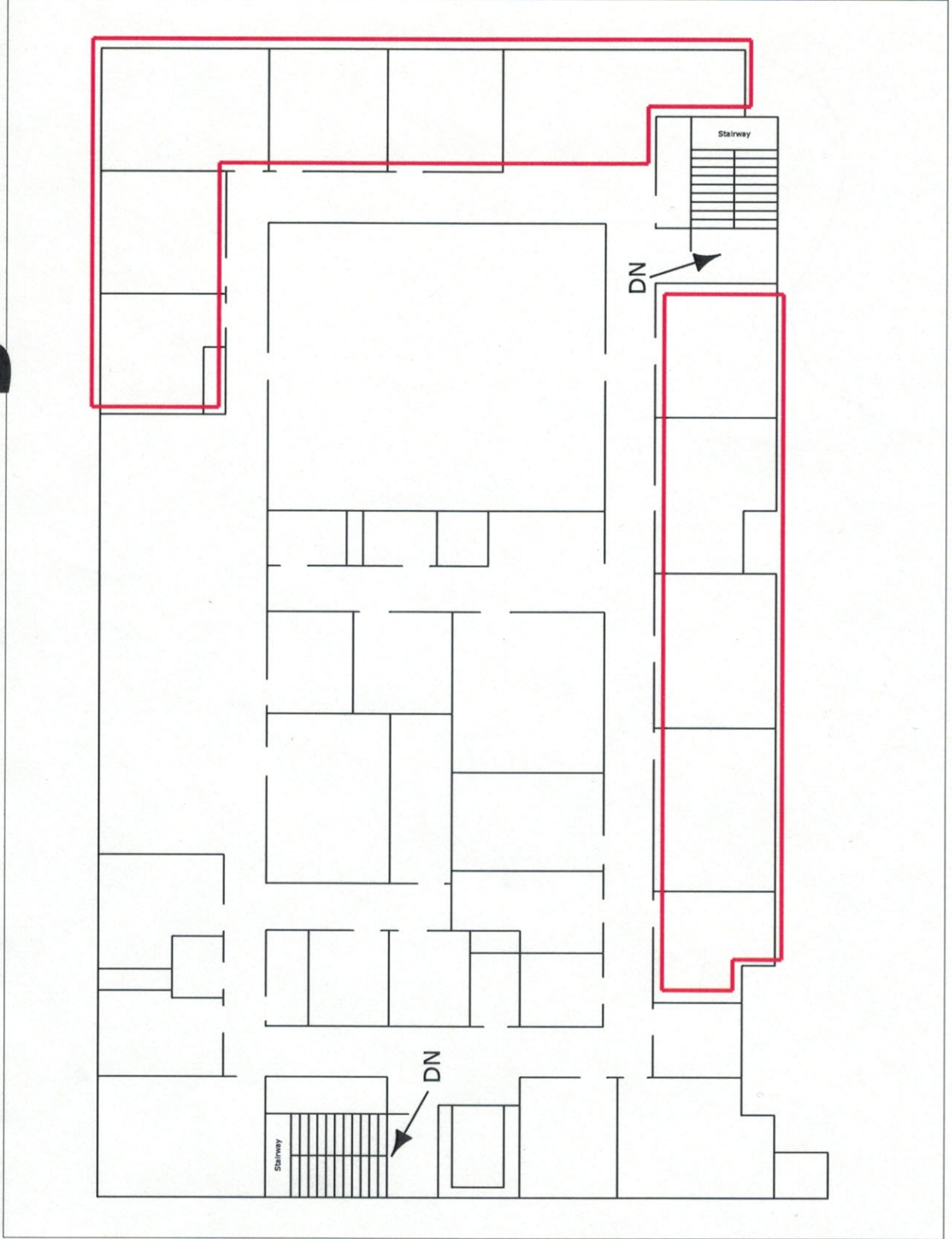
WLPD - Cubicles



WLPD - Storage



WLPD - Investigations



Civilian Manager 6 Month Performance Evaluation.pdf



“Working to keep West Lafayette a great community”

- *consistently deliver high-quality results,*
- *put residents/citizens first,*
- *approach city services with a professional focus and development of innovative solutions.*

EMPLOYEE PERFORMANCE AND DEVELOPMENT REVIEW

MANAGERS AND SUPERVISORS

Employee Name: _____	Title: _____
Review Period: From _____ To _____	Department: _____
Evaluator Name: _____	Title: _____
Date of Evaluation: _____	Previous Evaluation Date: _____

SECTION 1: Rating of Behavior Criteria/Supportive Comments

Evaluate the employee's ability to achieve or exceed the expected requirements of his/her job. Supportive comments (whether positive or negative) should be specific incidents that have occurred during the evaluation period.

- “4” - Consistently Outstanding:** Consistently, to a high degree, exceeds expectations; constantly demonstrates high performance on this responsibility.
- “3” - Excellent:** Exceeds expectations; work typically exhibits above required performance on this responsibility.
- “2” - Good:** Meets expectations; satisfactory performance on this responsibility with some room for improvement.
- “1” - Improvement Required:** Below expectations; needs significant improvement on this responsibility.
- Not Applicable:** Too new in position to demonstrate competence OR category not applicable to this position (*rarely relevant*).

Behavior Ratings		
Behavior	Rating	Examples of Observed Behaviors
Integrity — Conducts business honestly and in support of city goals; treats others with dignity and respect; is trustworthy; keeps confidences; admits mistakes; doesn't misrepresent for personal gain; focuses on doing the right thing and does not sacrifice long-term principles, values or viability to deal with short-term pressure.		
Leadership — Serves as a role model and resource for the Department; leads by example; guides, encourages and supports the actions and efforts of others; deals fairly with team members; is patient, approachable, helpful and easy to talk with; works to resolve conflict and encourages cooperation and teamwork; helps maintain morale when setbacks occur.		
Teamwork — Takes great interest in others' opinions and in the work group; strives to make the group more effective through cooperation; works toward achieving common city goals; demonstrates shared ownership, and interdependence with mutual trust and respect; fosters collaboration among team members to obtain a collective strength of knowledge, skills and abilities that is of greater value than the individual; can be counted on for positive reaction and support to team and colleague views and decisions.		

<p>Communication — Listens attentively; responds to questions honestly and completely; keeps others informed; states views in an articulate and concise manner; proactively seeks and incorporates others input; ensures complete understanding; creates a positive and open environment for people to express themselves.</p>		
<p>Initiative/Results Orientation — Gets going on important priorities; overcomes obstacles and takes appropriate risks; keeps moving toward objectives; handles multiple priorities well; sets specific, stretching objectives, and strives to meet or exceed them; finds improved ways of getting results; accepts, adapts to and incorporates appropriate change even when not initiated by oneself.</p>		
<p>Customer Focus — Proactively builds and maintains relationships with internal and external customers; listens, understands, anticipates and responds quickly and effectively to customer needs.</p>		
<p>Planning and Prioritizing — Completes tasks in a timely manner in order of urgency and importance; makes an effort to balance short-term and long-term needs; recognizes the most important issues; makes effective plans; gets resources in place to achieve key objectives; works with the end result in mind, despite obstacles.</p>		
<p>Managing Performance — Develops skills and competencies in others through identifying needs; provides challenging tasks and assignments; provides appropriate development situations; constructs compelling development plans and executes them; holds frequent development discussions; coaches, counsels and acts as a mentor to others to enable them to excel beyond what otherwise they would accept or achieve.</p>		

SECTION 2: Overall Evaluation

Briefly summarize the overall strengths of the employee's performance for the current evaluation period, and the areas of focus for the employee's continued development for the next evaluation period.

Summary	
Areas of Strengths	Areas for Development
▪	▪
▪	▪
▪	▪
▪	▪

SECTION 3: Goals and Objectives for Year Ending December 31, _____.

Provide a list of goals, objectives, activities, duties and projects the employee is to be working on during the next evaluation period in order to help the department achieve its primary objectives and function effectively. Goals should be specific, measurable, and attainable.

List between 1 and 5 goals to be achieved during the coming year.

Employee Comments: _____

Employee Signature: _____
(to acknowledge receipt)

Date: _____

Evaluator Signature: _____

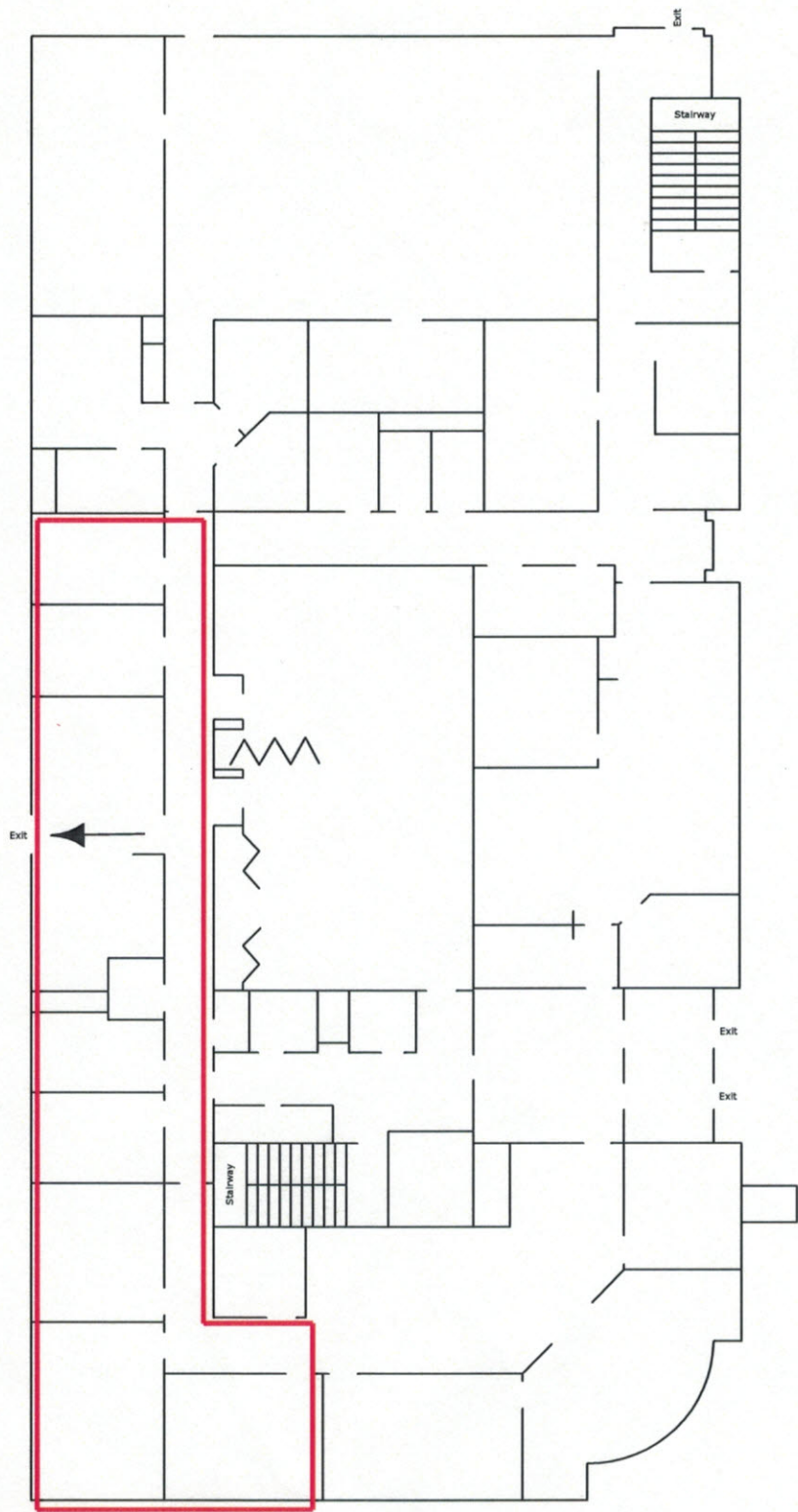
Date: _____

Department Head Signature: _____

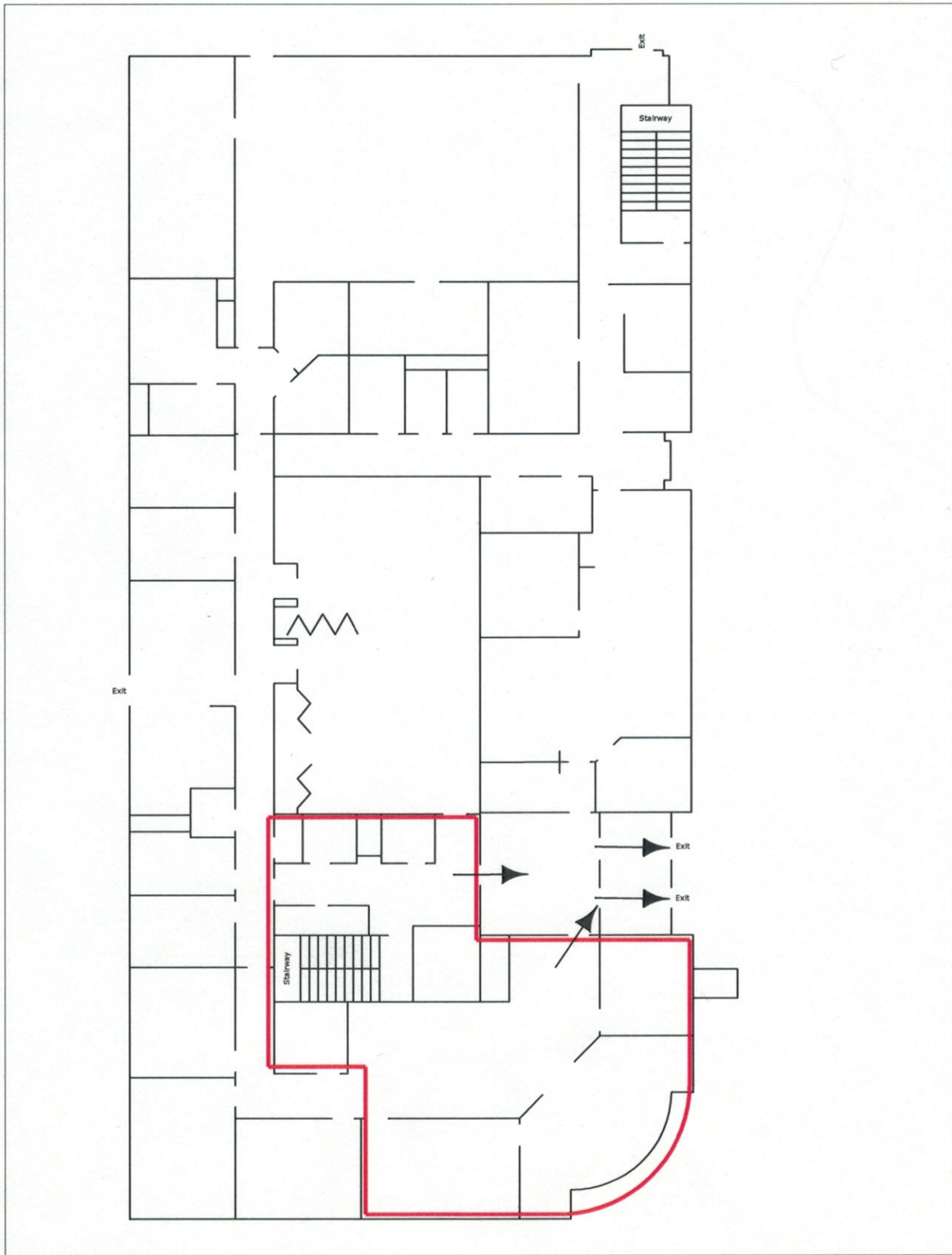
Date: _____

First Floor Escape Plans.pdf

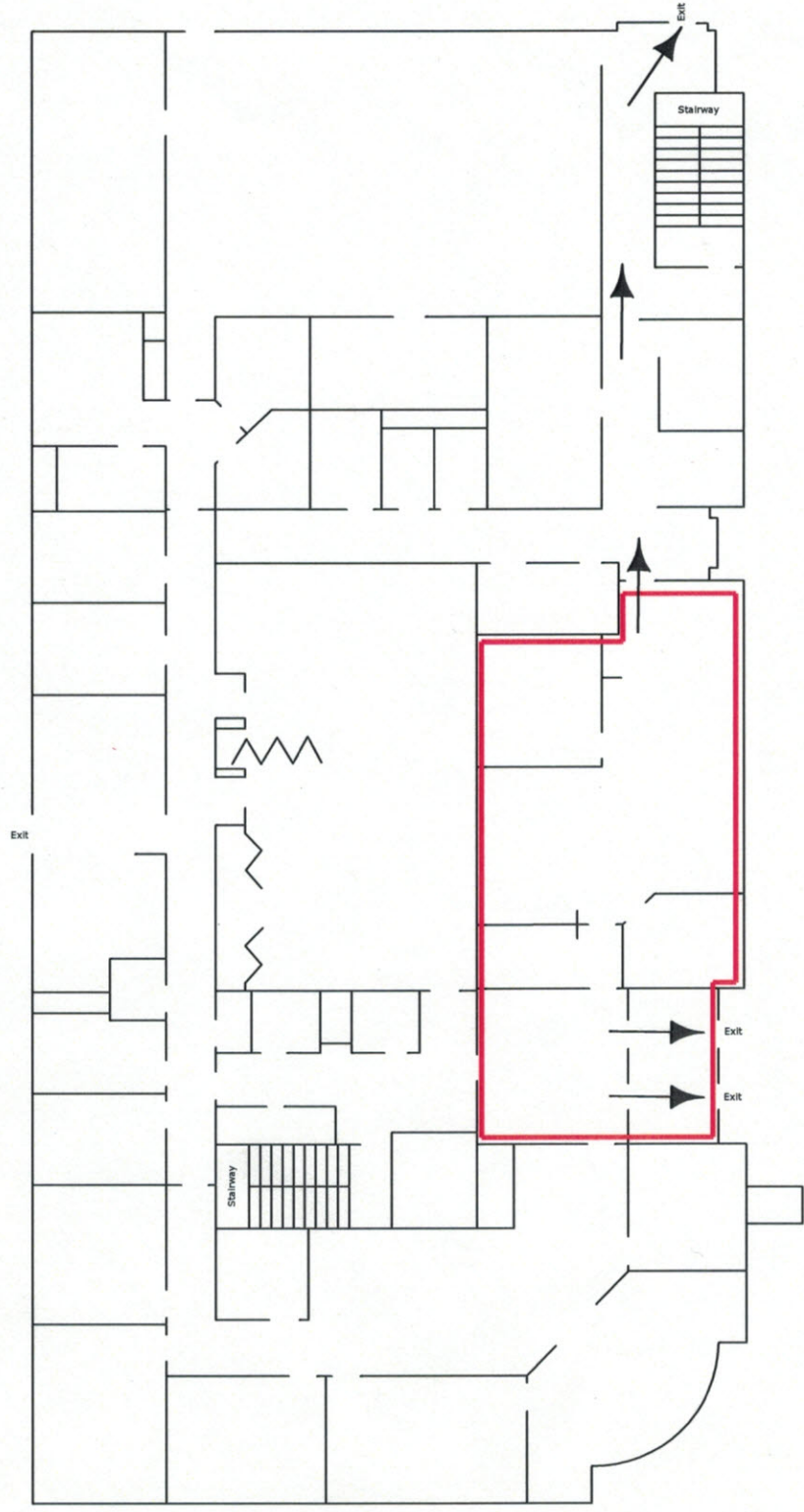
WLPD - First Floor



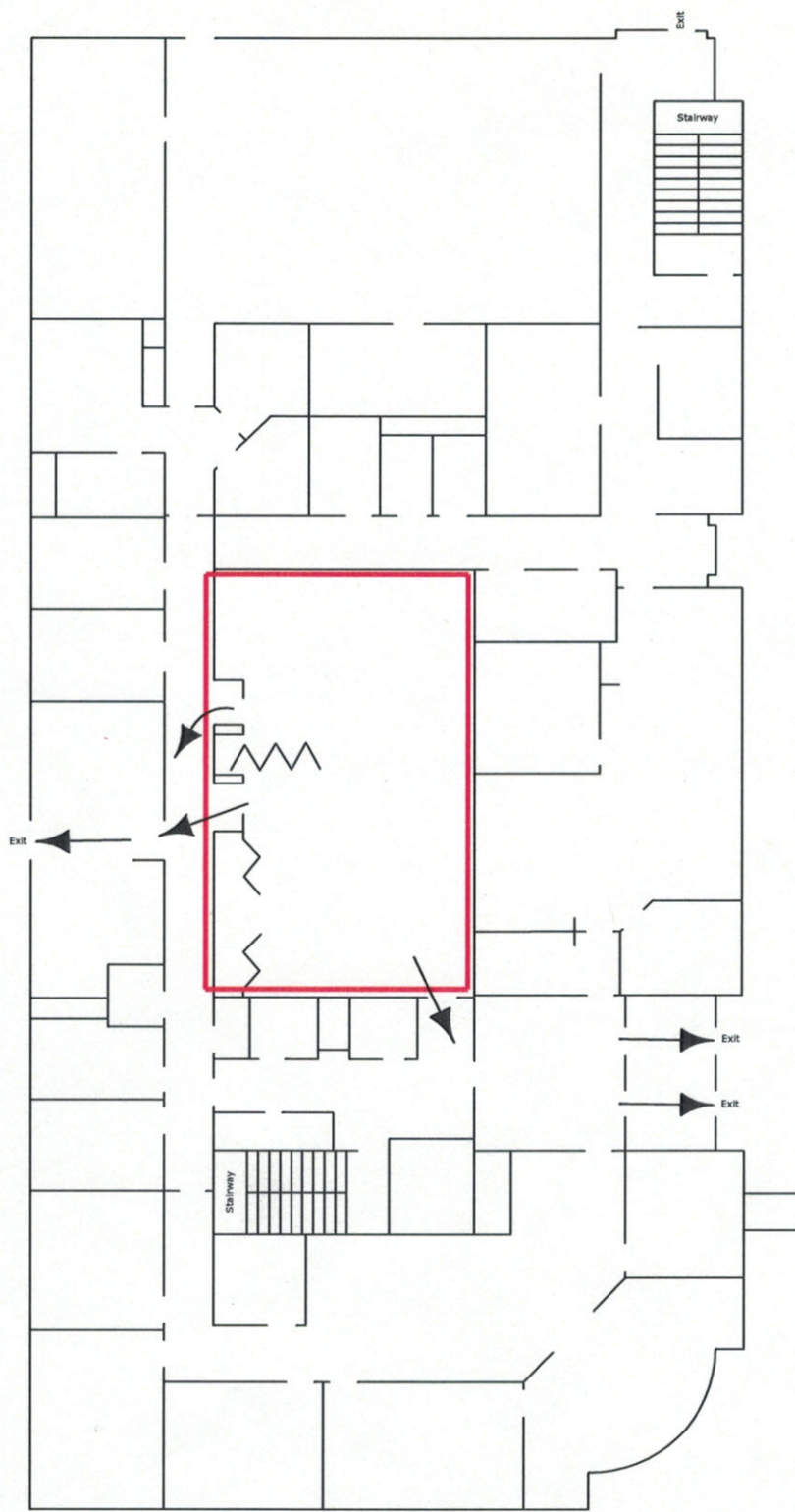
WLPD - Administration



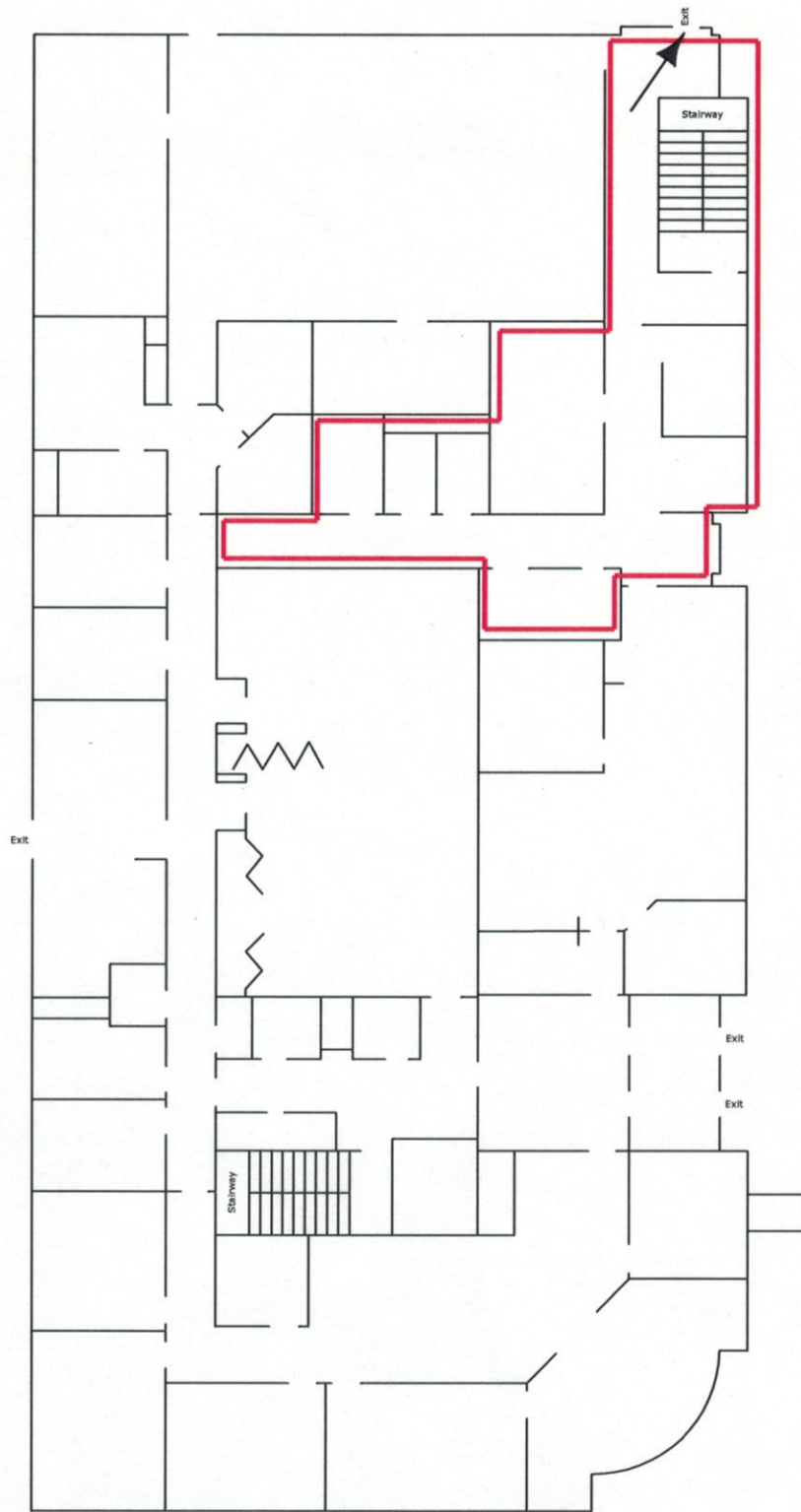
WLPD - Records



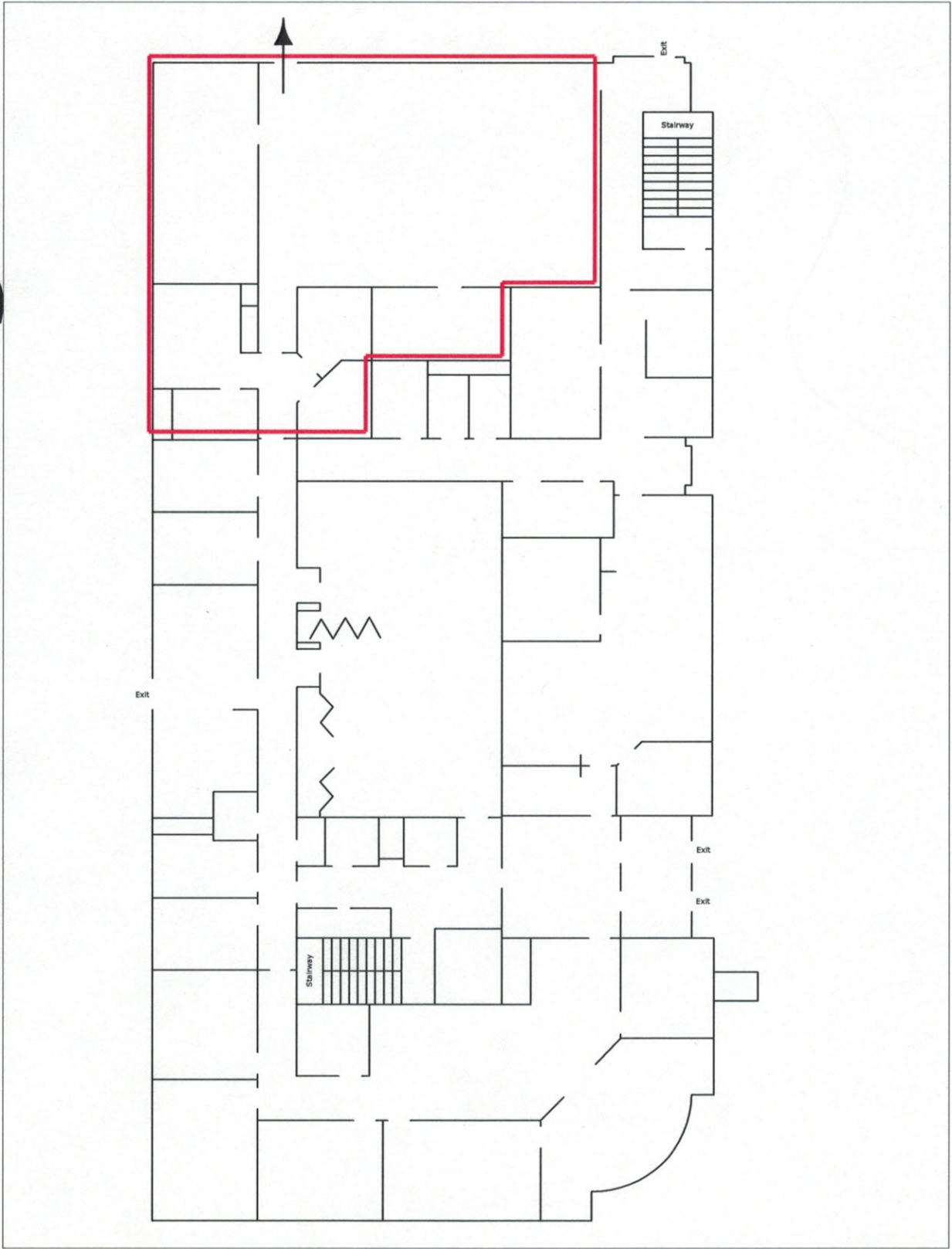
WLPD - Conference



WLPD - Squad Room

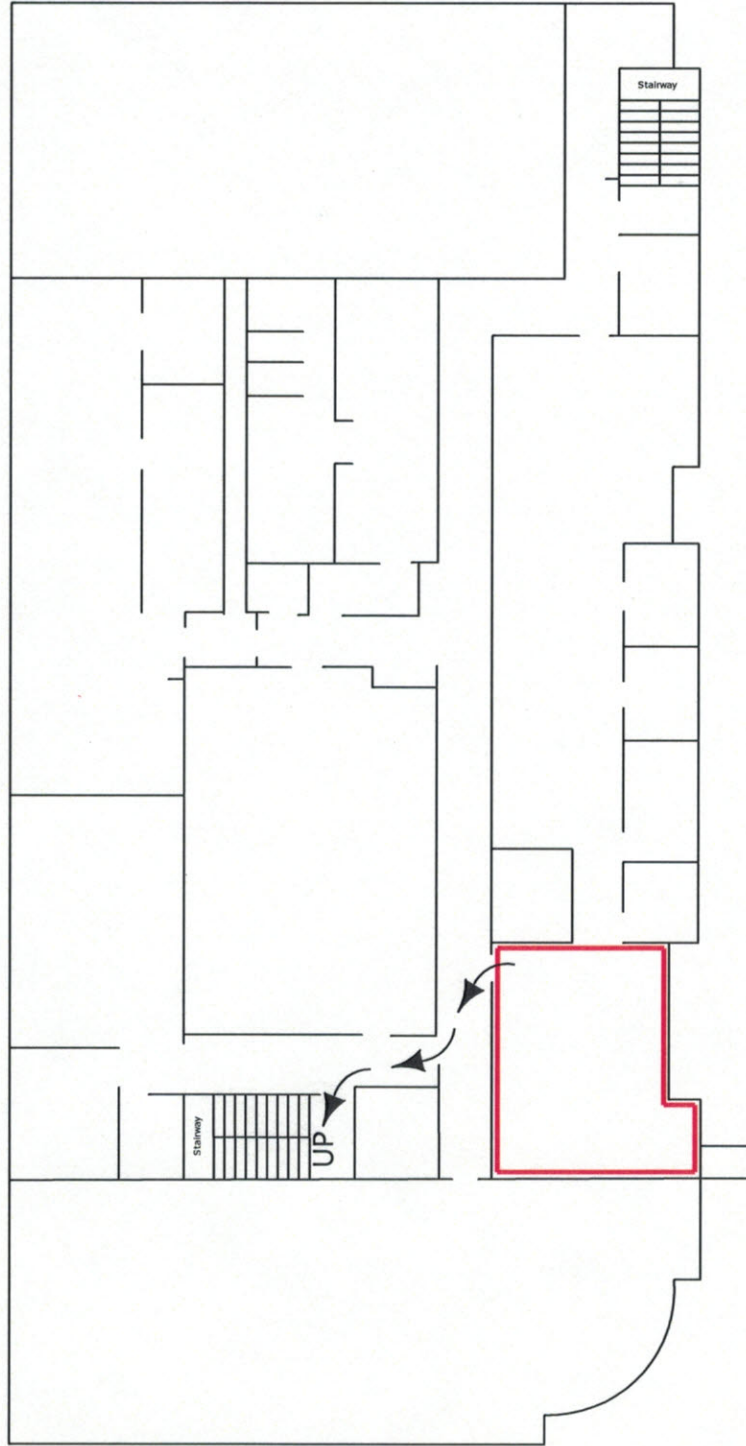


WLPD - Garage

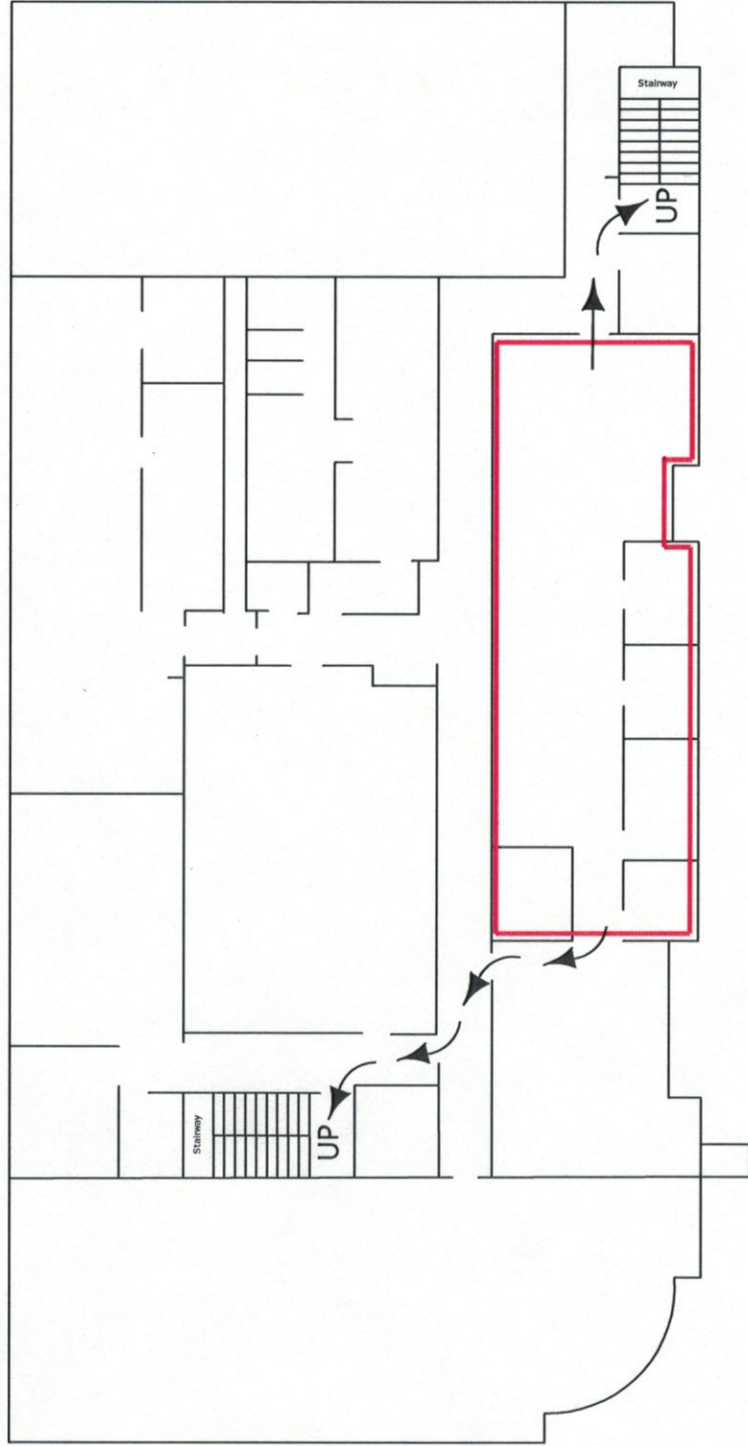


Basement Escape Plans.pdf

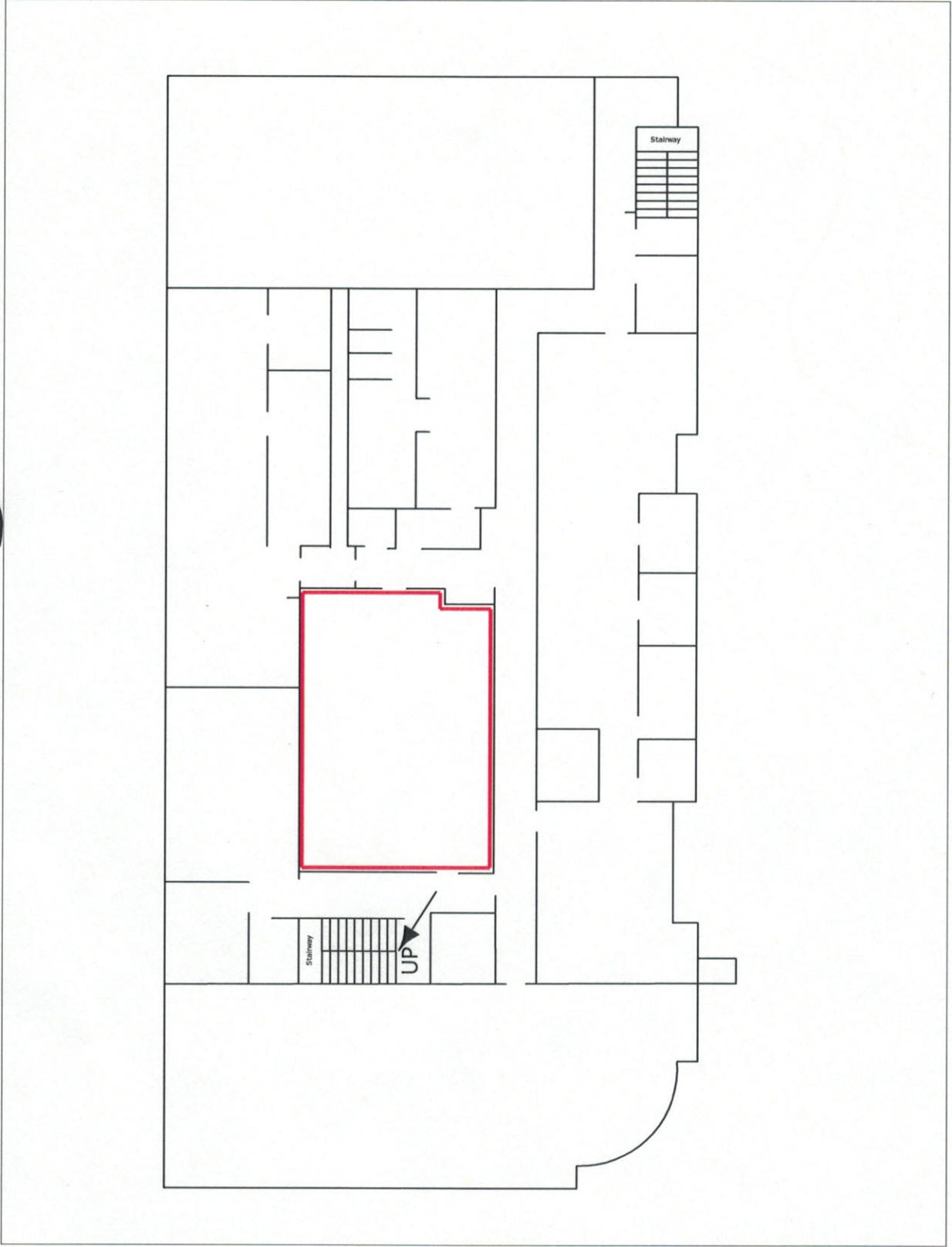
WLPD - Lab



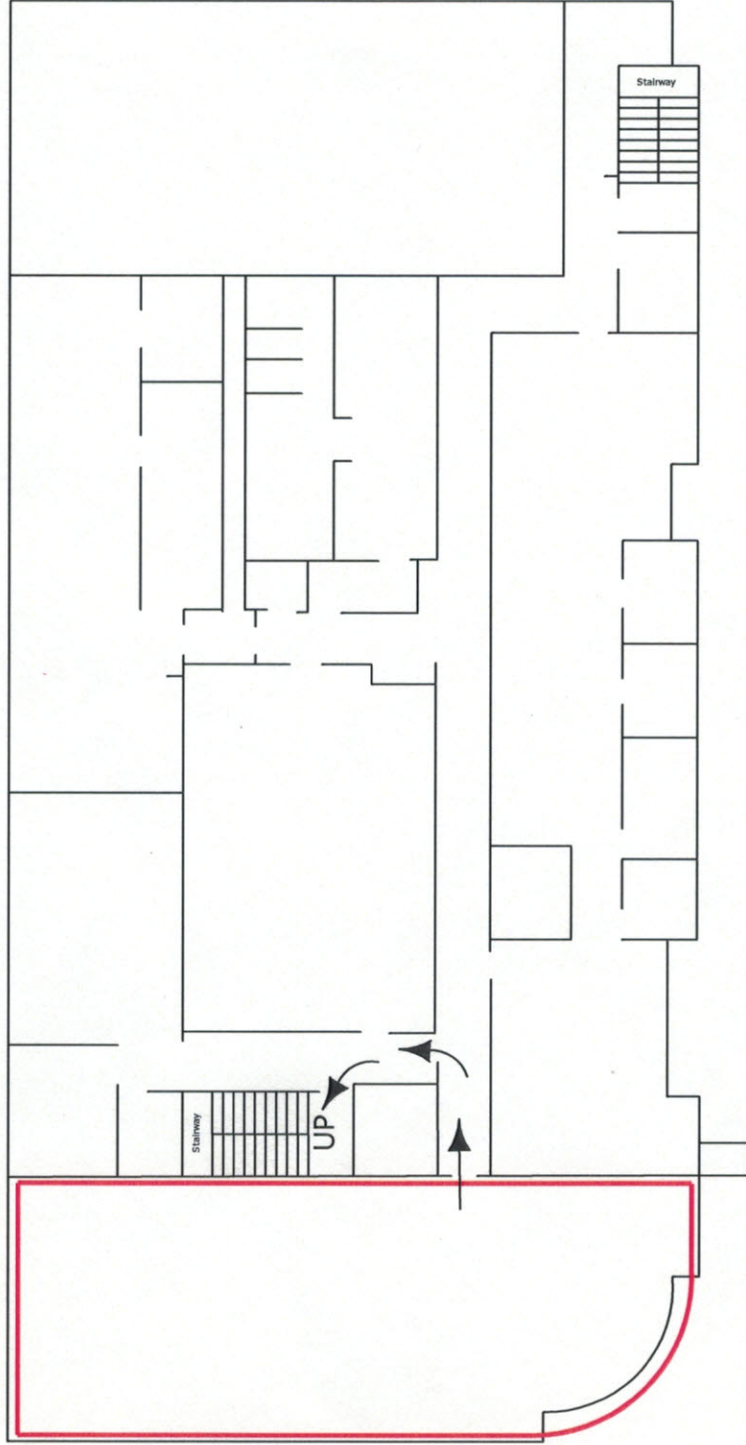
WLPD - Evidence



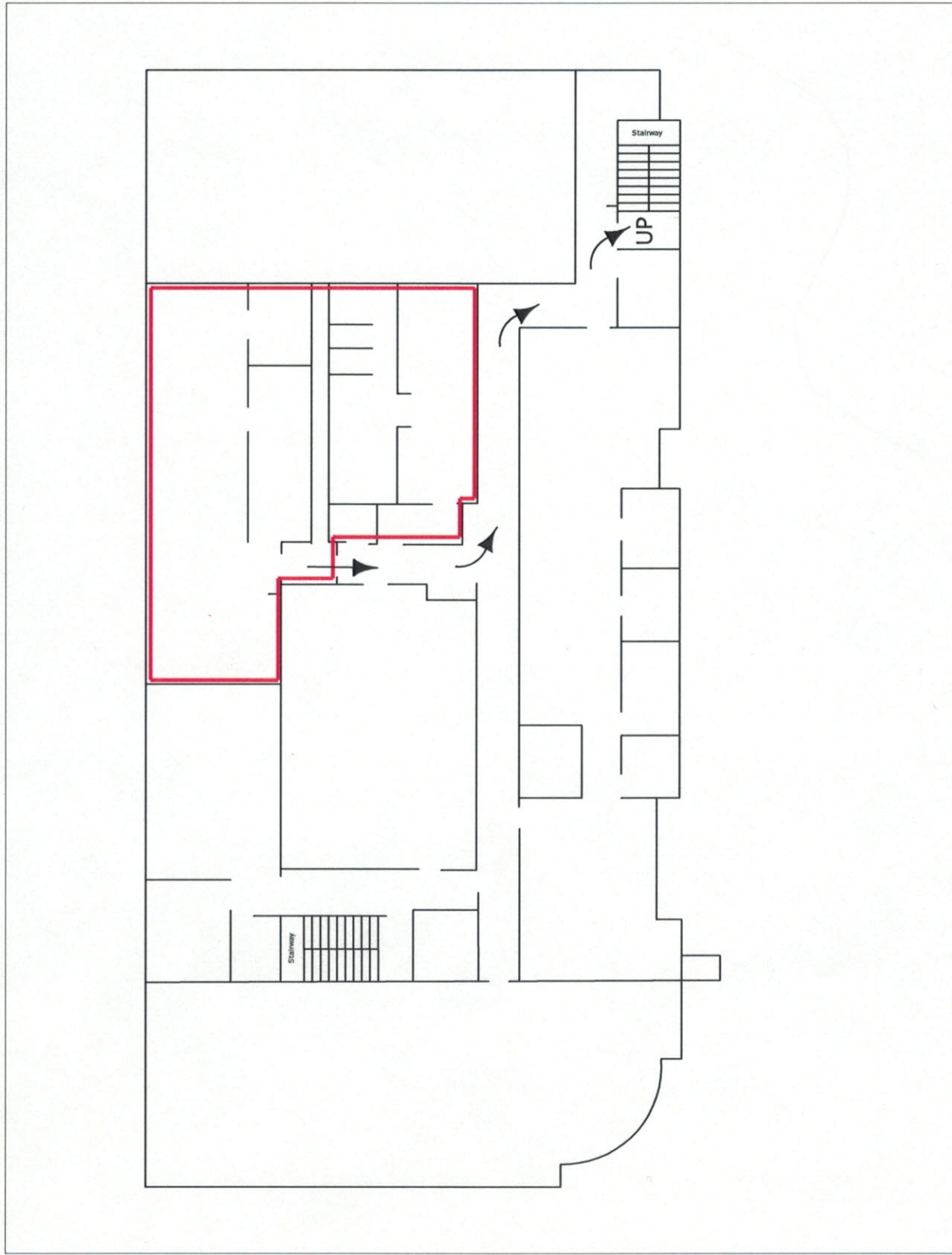
WLPD - Weight Room



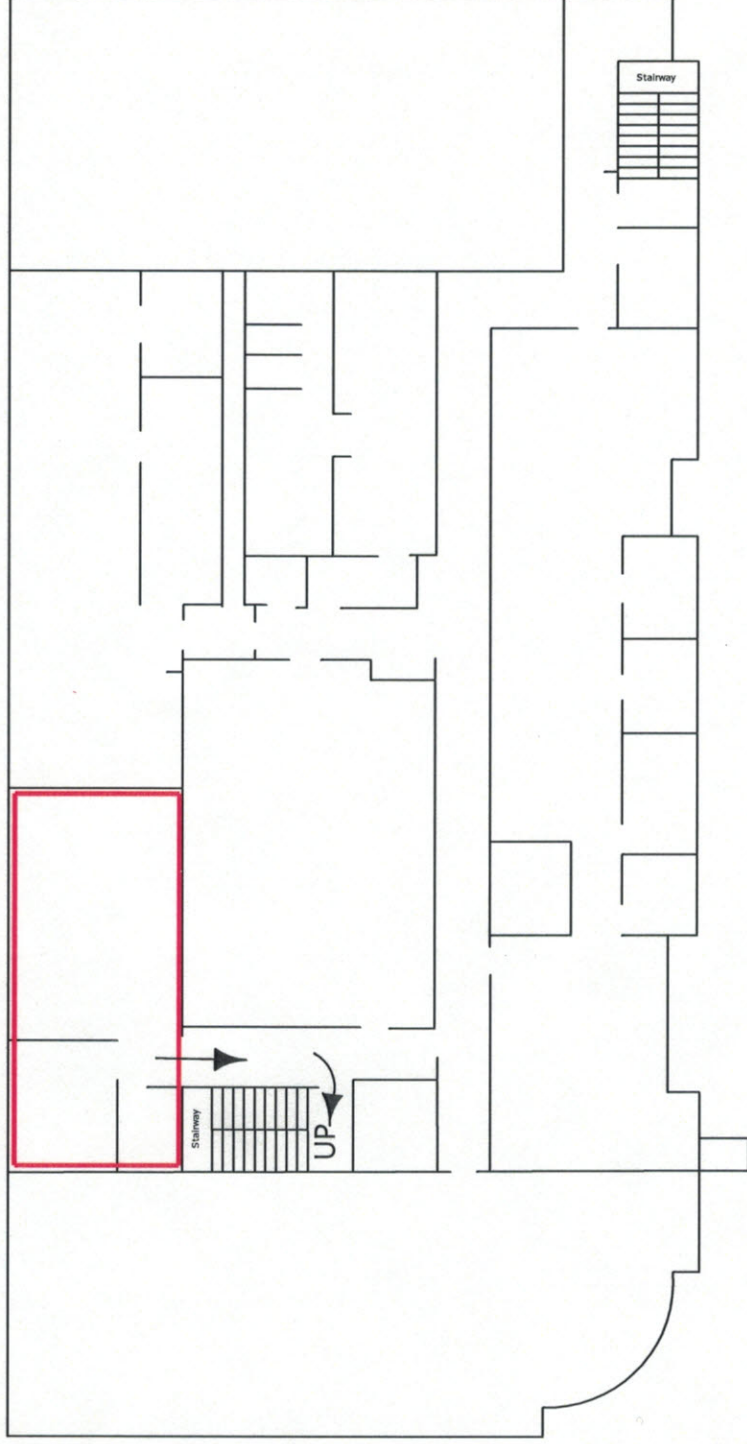
WLPD - Overflow



WLPD - Locker Rooms



WLPD - Mechanical



Sexual-assault-victims-rights-Spanish (1).pdf

¿QUÉ GASTOS CUBRE EL CJI?

Para las víctimas de agresión sexual, el Instituto de Justicia Penal de Indiana (Indiana Criminal Justice Institute, ICJI), administra el pago de ciertos costos asociados al examen médico forense. Estos costos incluyen (entre otros): examen médico forense, consulta de salud mental, ciertas pruebas de diagnóstico, pruebas iniciales y de seguimiento de embarazo, ciertas pruebas de laboratorio para enfermedades de transmisión sexual (sexually transmitted diseases, STD), alcohol, medicamentos, sutura y cuidado de heridas, y otros tantos servicios ambulatorios. EL ICJI pagará los costos aprobados al proveedor, siempre que se cumplan ciertas condiciones.

Adicionalmente, el ICJI puede pagar: una prueba de embarazo de seguimiento, pruebas de STD hasta (30) días después del tratamiento inicial, una prueba de sífilis hasta (90) días después de la consulta inicial y un tratamiento de salud mental de hasta \$ 3,000. Los servicios los debe prestar un proveedor de salud mental con licencia.

¿CÓMO HAGO SEGUIMIENTO AL ESTADO DE MI KIT DE AGRESIÓN SEXUAL?

Para seguir el estado de su kit, siga estas instrucciones:

1. Visite el seguimiento de agresiones sexuales de Indiana Sitio web del sistema en: sak.cji.in.gov/Public/Home.aspx
2. Seleccione el módulo de seguimiento del kit de agresión sexual.
3. Ingrese el número de serie del kit y el pin que se le asignó.

Kit de agresión sexual _____

PIN _____



CONTÁCTENOS

317.232.1233
www.cji.in.gov/2333.htm

DERECHOS DE LA VÍCTIMA DE AGRESIÓN SEXUAL

Ayudar a la víctima de agresión sexual a comprender mejor sus derechos.



CONOZCA SUS DERECHOS

DERECHOS DE LA VÍCTIMA DE AGRESIÓN SEXUAL

Los siguientes derechos se otorgan a la víctima cuando se someta a un examen médico forense o a una entrevista por parte de un agente de la ley en relación a lesiones, traumas o una investigación producto de una presunta agresión sexual.

Usted conserva estos derechos, independientemente de que acepte participar o no en cualquier procedimiento civil o penal relacionado con la agresión y de que acepte someterse a un examen médico forense para recopilar evidencia relacionada con la presunta agresión sexual.

Como víctima, tiene derecho a que le informen sus derechos según la ley de Indiana antes de cualquier examen médico forense o de una entrevista por parte de un agente de la ley. Esos derechos comprenden:



Tiene derecho a hablar con un abogado o un proveedor de servicios durante cualquier consulta en el hospital con el fin de realizarse un examen de agresión sexual. Si no dispone de ninguno de los dos, tiene derecho a hablar con algún funcionario de asistencia a la víctima o con un trabajador social. Usted conserva estos derechos incluso si ha renunciado a uno o más de estos en un examen o entrevista anterior.



Tiene derecho a que se le trate con equidad, dignidad y respeto, sin intimidación, acoso ni maltrato durante todo el proceso de justicia penal.



Sus comunicaciones privadas con un abogado, un proveedor de servicios, un funcionario de asistencia a la víctima o un trabajador social no se admitirán como prueba para ningún propósito, a no ser que usted lo consienta.



Tiene derecho a hablar con un abogado o un proveedor de servicios en el transcurso de la investigación. Si no dispone de ninguno de los dos, tiene derecho a hablar con un funcionario de asistencia a la víctima o con un trabajador social. Usted conserva estos derechos incluso si ha renunciado a uno o más de estos en un examen o entrevista anterior.

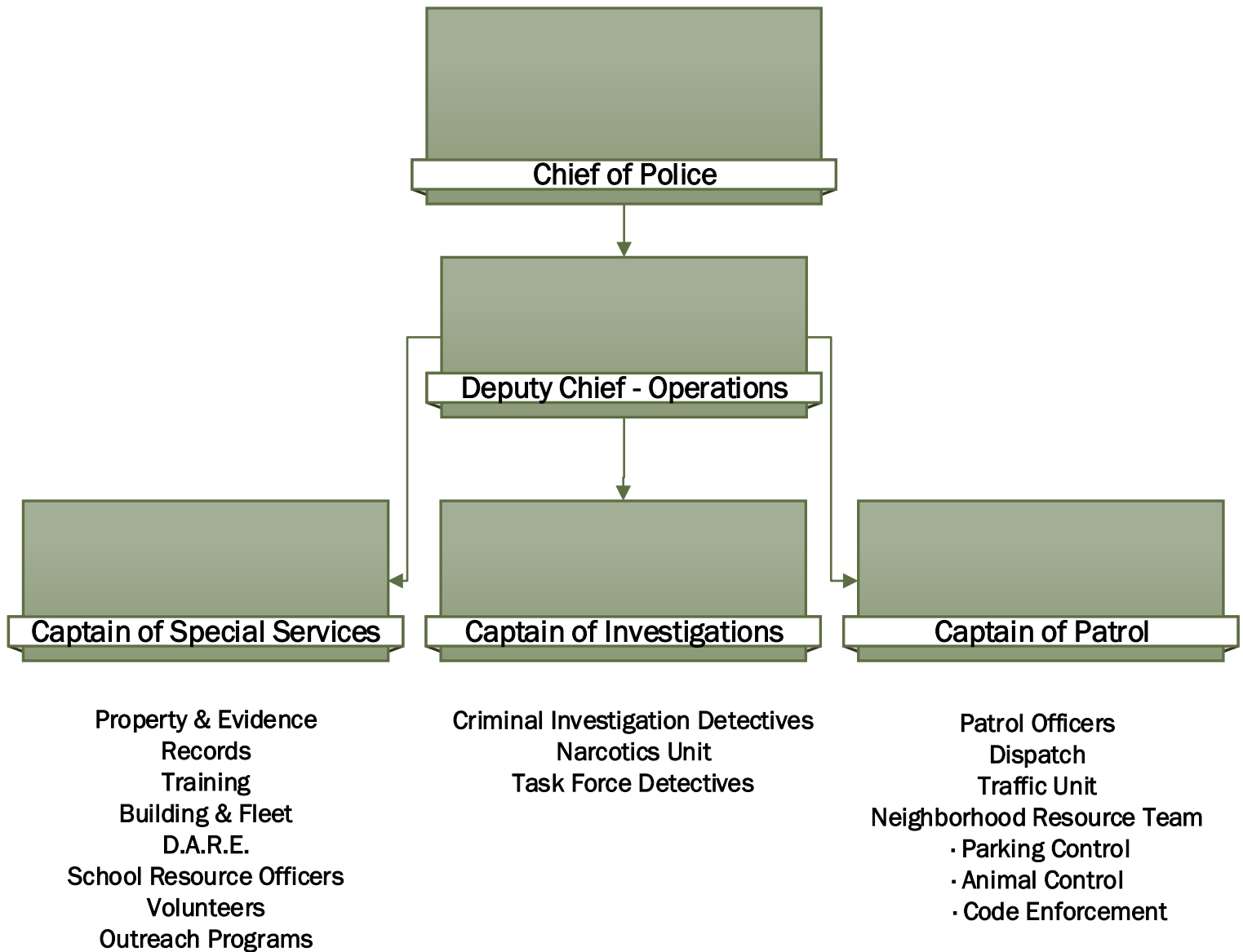


Tiene derecho a que le realicen un examen médico forense y presten otros servicios forenses sin cargo alguno. Puede preguntar al examinador si ha recibido capacitación para llevar a cabo esta tarea. Tiene derecho a declinar realizarse cualquier parte del examen de agresión sexual. Tiene derecho a ducharse en el centro médico después del examen.

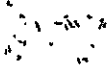
Revised Organizational Chart-no pics.pdf

WEST LAFAYETTE POLICE DEPARTMENT

Organizational Chart



WLPD MOU with WLCSC.pdf



AGREEMENT

Made as of the _____ day of _____, 2016, by and between West Lafayette Community School Corporation, hereinafter referred to as "School Corporation," and the West Lafayette Police Department, hereinafter referred to as "Police Department."

Whereas, the School Corporation wishes to hire off duty police officers to provide security services for the School Corporation; and

Whereas, the Police Department is willing to provide off duty police officers to provide said services;

Now therefore, in consideration of the premises and the covenants and agreements herein, the parties agree as follows:

Purpose. The School Corporation wishes to hire off duty police officers of the Police Department to provide security services to protect the persons and property of students, staff and visitors to the schools of the School Corporation; and the Police Department is willing to provide off duty police officers to provide said services for the School Corporation. All such police officers are hereinafter referred to as "Security Officers."

Service Provided. The Police Department shall make every effort to provide one Security Officer each day that school is in session to provide security services for the School Corporation. Said services shall principally be performed at the West Lafayette Junior/Senior High School, hereinafter referred to as "Junior/Senior High School," but may be provided at other schools of the School Corporation.

Security Officers shall also provide security services for student activities and events at the request of the Junior/Senior High School Principal. The Junior/Senior High School Principal shall make a request for Security Officers to the Police Department not less than one week prior to the date of the event. The number of Security Officers needed and the times they are needed shall be designated at the time of the request.

Duties. The Security Officers shall generally perform the security duties set forth in the Security Officer Duties attached hereto as Exhibit A and made a part hereof. Said duties may be amended from time to time to meet the security needs of the School Corporation. Security Officers shall perform the duties pursuant to the Security Officer Guidelines attached hereto as Exhibit B and made a part hereof.

Security Officers shall inform the Junior/Senior High School Principal or other school administrator if it becomes necessary for him or her to leave the school campus during the time he or she is providing security service.

Revised 06/01/2016

Coordination of Services. The Chief of Police of the Police Department or his or her designee shall coordinate the Security Officers who shall provide security services for the School Corporation. The Police Department shall provide the Junior/Senior High School Principal with the names and dates of the off duty Security Officers who shall provide security services to the School Corporation by 8:00 a.m. on Friday for the following week. Each Security Officer who will provide security services for the School Corporation shall be given a copy of the Security Officers Duties and Security Officer Guidelines attached hereto as Exhibits A and B; respectively.

The Security Officers shall work under the supervision of the School Principal or his or her designee. The School Principal or his or her designee shall determine the locations, times at such locations, and any specific security duties that the Security Officers shall perform. At the beginning of each shift the Security Officers who will provide security services shall sign-in at the Junior/Senior High School office. At the end of each shift the Security Officers shall sign-out at the Junior/Senior High School office. For planning purposes the Police Department and each Security officer shall be provided a school calendar. The Police Department and the Security officers scheduled to be on duty shall be advised of weather or other emergency communications.

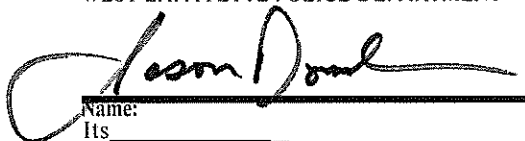
If a Security Officer assigned to provide security services is unable to work or will arrive late, he or she shall so inform the School Corporation by leaving a message at one of the Junior/Senior High School's Administrative Offices at least one-half hour before the beginning of his or her shift. The Security Officer shall try to arrange for a replacement if he or she is not able to work a scheduled shift.

Payment. Security Officers shall be paid \$28.12 per hour. The Security Officers shall be paid by the School Corporation on the fifth and twentieth of each month. Paychecks can be picked up by the Security Officers at the business office between 8:00 am. and 4:00 p.m. on these dates. If they are not picked up they will be placed in the officer's department mailbox.

WEST LAFAYETTE COMMUNITY SCHOOL CORPORATION

Name:
Its _____

WEST LAFAYETTE POLICE DEPARTMENT



Name:
Its _____

Exhibit A

Security Officer Duties

On a regular school day the following locations are to be closely monitored at the following times:

- 7:30 a.m. - 8:30 a.m.: Grant Street bus drop-off Leslie Street vehicles and pedestrian traffic, south parking lot and west drive.
- 5 minute passing times between each class period.
- 11:30 a.m. - 12:45 p.m.: Outside the West Lafayette Junior/Senior High School building ("".Building") as Junior High students leave and return from lunch.
- 12:45 p.m. - 2:00 p.m.: Outside the Building, particularly in the south parking lot as High School students leave and return from lunch.
- 2:30 p.m. - 3:30 p.m.: Grant Street bus pick-up, Leslie Street vehicle and pedestrian traffic, south parking lot and west drive.

General duties throughout the school day:

- Monitor hallways, locker areas, and cafeteria whenever students are present.
- Serve as a quiet deterrent for students who may choose to use or possess or use illegal drugs or alcohol before coming to school or while at school.
- Assist school administrators in assessing situations with students suspected of being under the influence of illegal drugs or alcohol at school or on school property.
- Serve as a deterrent to student fights/conflicts and respond appropriately to conflicts that do occur.
- Assist administrators with monitoring school activity using security cameras.
- Assist administrators with school attendance enforcement and student truancy.
- Monitor for valid school-issued permits for staff and student parking on school property.
- Conduct security checks of all entry points to the Building.
- Check loading docks and fire lanes for safety hazards and illegal parking.
- Serve in a resource capacity with teacher in-service training concerning issues of school safety.
- Serve in a resource capacity with classroom teachers whose curriculum involves topics relating to the duties of a police officer including substance abuse, safety, law, and careers in law enforcement.
- Performs other duties as assigned by the School Principal.

Exhibit B

West Lafayette School Corporation Security Officer Guidelines

Introduction

The information contained herein should serve as guidelines for security personnel in performing security duties for the West Lafayette Community School Corporation). These guidelines are to be followed whenever practicable. However, it is understood that in the event of extreme or emergency conditions, it may be necessary to deviate from these guidelines to protect the safety and well-being of the students, staff and visitors of the School Corporation.

Purpose

The intent of the School Corporation is to work in partnership with the West Lafayette Police Department ("Police Department") to provide security for the schools in the School Corporation. The purpose of security is to make the schools safe and provide protection to students, staff and visitors.

Security officers shall perform the duties set forth on Exhibit A attached hereto. Said duties shall principally be provided on the Junior/Senior High School campus.

Duty Hours

On all regular school days, security officers shall be provided security services from 7:30 a.m. to 3:30 p.m. Security officers shall provide services on scheduled partial school days from 7:30 a.m. to 12:45 p.m. When school is delayed due to weather conditions security officers shall provide security services from 9:30 a.m. to 3:30 p.m.

For planning purposes the Police Department and each Security officer shall be provided a school calendar. The Police Department and the Security officers scheduled to be on duty shall be advised of weather or other emergency communications.

Lunch/Break Schedule

Each security officer shall have 30 minutes off duty during each shift worked. This time can be taken in two 15 minute periods or one 30 minute period. The off duty time can only be taken between 9:00 a.m. to 11:00 a.m. or 2:00 p.m. to 3:00 p.m. Security officers should not leave school property during off duty periods without the prior written consent of the Junior/Senior High School principal.

Accountability

The security officers shall work under the supervision of the School Principal. At the beginning of each shift the security officers who will provide security services shall sign in at the Junior/Senior High School office. At the end of each shift the security officers shall sign out at said office. The School Principal shall determine the locations, times at such locations, and any specific security duties that the security officer shall perform.

Security officers shall inform the Junior/Senior High School Principal or other school administrator if it becomes necessary for him or her to leave the School campus during a shift.

If a Security officer assigned to provide security services is unable to work or will arrive late, he or she shall so inform the School Corporation by leaving a message at one of the Junior/Senior High School's Administrative Offices at least one-half hour before the beginning of the shift. The security officer shall try to arrange for a replacement *if* he or she is not able to work a scheduled shift. The telephone number for the Junior High is 746-0430 and the telephone number for the Senior High is 746-0400.

Security Office

The School Corporation will designate space for a security office at the Junior/Senior High School. A computer will be available in that office to allow security officers to monitor the video security system as necessary or appropriate.

Communication

The Security Officers shall carry and use school communication compatible radios at all times while providing security services.

Security Identification

Security officers shall wear shirts or other apparel provided by the School Corporation at all times while performing security services. In addition, the security officers may wear fanny packs to carry any items needed to provide security services. The fanny packs shall not be provided by the school corporation.

Respect

It is a policy of the School Corporation that employees act professionally and with respect when interacting with students, other staff, visitors and members of the community. Accordingly, under no circumstances should security officers make any racial or sexual remarks, use profanity, or behave disrespectfully toward any student, staff, visitor or person in the community while performing security services for the School Corporation.

Privacy/Confidentiality

Security officers are subject to the privacy of information/confidentiality policies established by the Board of School Trustees of the School Corporation. A copy of Board Policy No. 8350 is attached hereto. Security officers will provide no information concerning any student, staff member, or incident to any unauthorized person or representative of the media. All questions regarding any student, staff member or incident shall be directed to the Junior/Senior High School Principal for a response.

Student Questioning

Security officers' questioning of students should be conducted with the building principal or his or her designee present. A school administrator will try to contact a parent or guardian before questioning, if possible. Questioning of students should be conducted in a professional manner. A written report shall be made as soon as possible after the questioning is complete. The report shall be given to the building principal.

Searches

Security officers are considered contract" employees of the School Corporation and as such are authorized to act at the direction of the building principal or his or her designee in assisting with searches of students and their property. All searches, including those of student lockers, other personal property or the person must be conducted *in* the presence of the building principal or his or her designee. Strip searches are prohibited.

Use of Force

Security officers may use reasonable force to re-establish order in the event of a disturbance. The definition of reasonable force shall follow the Police Department guidelines. The use of physical force shall only be used to restrain persons for the safety of others. Use of force will be the last option used to re-establish order.

Use of Weapon

A weapon may be used only as a last resort and when the life of a student, staff, visitors or the security officer is threatened.

Incident Review

Security officers shall prepare a report of all incidents occurring during their shifts. If the incident involves one or more students, the report shall be made on the school disciplinary form or incident report. All such reports shall be given to the building principal.

If force is used during an incident, the security officer(s) shall prepare a report including a written statement from each person involved in the incident. The Police Department shall review the incident and make a determination as to whether reasonable force was used. A final report shall be made by the Police Department to the building principal and the security officer.

Daily Log

Security Officers shall maintain a record of pertinent information that occurred during their shifts for further review from other officers.

Time Sheets

The off-duty Security Officers providing security services shall be considered employees of the School Corporation. The work week shall begin at 12:00 a.m. on Sunday and end at 11:59 p.m. on Saturday. The Security Officers shall follow the payroll procedures as provided at the Principal's office and submit their time sheets accordingly.

Questions and Concerns

The School Corporation invites your questions; concerns or suggestions relating your employment or the security and safety in the schools. They should be directed to Tim Slauter, Assistant Principal of the Junior/Senior High School, or in his absence to any of the other administrators listed below.

Chain of Command - WLCSC

Ron Shriner, Principal	746-0400 ext. 4614
Tim Slauter, Assistant Principal	746-0400 ext. 4616
Dan Walbaum, Assistant Principal	746-0400 ext. 4615
Brock Touloukian, Athletic Director	746-0435

Other Contact Personnel - WLCSC

Carol Lancaster, School Nurse	746-0400, ext. 4603
Rocky Killion, Superintendent	746-1641
Etta Wesley, Office Secretary	746-0400
Kathy Slauter, Office Secretary	746-0400

I have received and reviewed a copy of Guidelines for Security Personnel:

Name: _____

Date: _____

Policy

BOARD OF SCHOOL TRUSTEES
WEST LAFAYETTE COMMUNITY
SCHOOL CORPORATION

OPERATIONS
8350/page 1 of 1

CONFIDENTIALITY

It is the policy of the School Board that when the Corporation receives in trust information identified to be confidential (whether such information is confidential by the Indiana Code, Common Law, Privilege Case Law or Federal Law), the Corporation will maintain the confidentiality of said information to prohibit its unauthorized disclosure.

This policy applies to identified confidential information.

Although the policy is based upon equal dignity and held "in trust" legal theories, the Corporation may be required to obtain court protection by:

- A. Denying requests for release of such information absent subpoena or court order, or
- B. Pursuing motions to quash or protective orders to prohibit unauthorized disclosure.

29 U.S.C., Section 1232 g, 34 C.F.R. 99

Revised/Approved 12/06/ZODB

Prosecutor MOU of IN Model Rule of Professional Conduct.pdf

SUGGESTED FORM MEMO TO PROSECUTORS AND INDIANA LAW ENFORCEMENT

Pursuant to Indiana Model Rule of Professional Conduct 3.8(f) the Prosecuting Attorney for Tippecanoe County does issue the following memorandum:

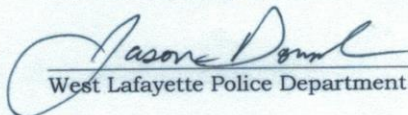
Deputy Prosecuting Attorneys, law enforcement officers and those working in conjunction therewith should, pursuant to Rule 3.6, refrain from making any statement relating to:

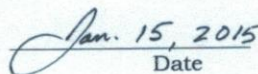
- a) the character, creditability, reputation or criminal record of a party, suspect in a criminal investigation or witness, or the identity of a witness, or the expected testimony of a party or witness;
- b) in a criminal case or proceeding that could result in incarceration, the possibility of a plea of guilty to the offense or the existence or contents of any confession, admission, or statement given by a defendant or suspect or that person's refusal or failure to make a statement;
- c) the performance or results of any examination or test or the refusal or failure of a person to submit to an examination or test, or the identity or nature of physical evidence expected to be present;
- d) any opinion as to the guilty or innocence of a dependent or suspect in a criminal case or proceeding that could result in incarceration;
- e) information that the lawyer knows or reasonably should know is likely to be inadmissible as evidence in a trial and that would, if disclosed, create a substantial risk of prejudicing an impartial trial; or
- f) the fact a person has been arrested or charged with a crime is merely an accusation, and the defendant is presumed innocent until and unless proven guilty in a court of law. This phrase should be included in each and every press release your agency issues involving a person's involvement in a criminal investigation.

In addition, in accord with Indiana Rule of Professional Conduct 3.6 it shall generally be permitted for the above named individuals to state:

- a) the claim, offense or defense involved and, except when prohibited by law, the identity of the persons involved;
- b) information contained in a public record;
- c) that an investigation of a matter is in progress;
- d) the scheduling or result of any step in litigation;
- e) a request for assistance in obtaining evidence and information necessary thereto;
- f) a warning of danger concerning the behavior of a person involved, when there is reason to believe that there exists the likelihood of substantial harm to an individual or the public interest;
- g) the identity, residence, occupation and family status of the accused;
- h) if the accused has not been apprehended, information necessary to aid in apprehension of that person;
- i) the fact, time and place of arrest; and
- j) the identify of investigating and arresting officers or agencies and the length of the investigation.

This memorandum should be considered only a guide and should any questions arise regarding the potential prejudicial effect on a specific case or defendant, please call my office immediately before the issuance of any such statement.


West Lafayette Police Department


Date

Tippecanoe County GRITT MOU.pdf

GANG RESPONSE INVESTIGATIVE TEAM TIPPECANOE (GRITT)

MEMORANDUM OF UNDERSTANDING

2008

1) PARTIES

This Memorandum of Understanding (MOU) is entered into by and between the Federal Bureau of Investigation (FBI); Tippecanoe Sheriff Department, Lafayette Police Department, West Lafayette Police Department, Purdue University Police Department, Indiana State Police, Tippecanoe County Prosecutors Office, and the United States Attorneys Office – Northern District of Indiana.

2) AUTHORITIES

Authority for the FBI to enter into this agreement can be found at 28 U.S.C. § 533; 42 U.S.C. § 3771; and 28 C.F.R. § 0.85 and applicable United States Attorney General guidelines.

3) PURPOSE

The purpose of this MOU is to delineate the responsibilities of GRITT participants, maximize inter-agency cooperation, and formalize relationships between the participating agencies for policy guidance, planning, training, public, and media relations. This MOU is not intended, and should not be construed, to create any right or benefit, substantive or procedural, enforceable at law or otherwise by any third party against the parties, the United States, or the officers, employees, agents, or other associated personnel thereof.

4) MISSION

The mission of the GRITT is to identify and target for prosecution organized crime groups responsible for drug trafficking, money laundering, alien smuggling, crimes of violence (murder), robbery (aggravated assault), violent street gangs, as well as an intensified focus on the apprehension of dangerous fugitives. GRITT will enhance the effectiveness of Federal/State/Local law enforcement resources through a well coordinated initiative seeking the most effective investigative/prosecutive avenues by which to convict and incarcerate dangerous offenders.

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5) SUPERVISION AND CONTROL

A. Supervision

Overall supervision of the personnel on GRITT shall be the shared responsibility of the participants.

The Special Agent in Charge (SAC) of the Indianapolis Division shall designate one Supervisory Special Agent (SSA) to have direct and daily responsibility for all personnel and investigative matters pertaining to GRITT.

Responsibility for conduct, not under the direction of the SAC or SSA, of each GRITT member, both personally and professionally, shall remain with the respective agency head and each agency shall be responsible for the actions of their respective employees.

Each agency member who is a GRITT member will be subject to the personnel rules, regulations, laws, and policies applicable to those of their respective agencies. FBI participants will continue to adhere to the Bureau's ethical standards and will remain subject to the Supplemental Standards of Ethical Conduct for employees of the Department of Justice.

Each GRITT member will continue to report to his or her respective agency head for non-investigative administrative matters not detailed in this MOU.

Subject to other provisions in this document, continued membership on the GRITT will be based on performance and will be at the discretion of each member's respective supervisor.

B. Case Assignments

The FBI SSA with designated oversight for investigative and personnel matters will be responsible for opening, monitoring, directing, and closing GRITT investigations in accordance with existing FBI policy and the applicable United States Attorney General's Guidelines.

Assignments of cases to personnel will be based on, but not limited to, experience, training and performance, in addition to the discretion of the SSA with designated oversight for investigative and personnel matters.

For FBI administrative purposes, GRITT cases will be entered into the relevant FBI computer system.

GRITT members will have equal responsibility for each case assigned. GRITT personnel will be totally responsible for the complete investigation from predication to resolution.

C. Resource Control

Specific control of GRITT resources, including personnel, and the continual dedication of GRITT resources shall be retained by the participating agency heads, who will be kept fully apprised of all investigative developments by their respective subordinates.

6) OPERATIONS

A. Investigative Exclusivity

It is agreed that matters designated to be handled by the GRITT will not knowingly be subject to non-GRITT law enforcement efforts by any of the participating agencies. It is incumbent on each agency to make proper internal notification regarding GRITT's existence and areas of concern.

It is agreed that there is to be no unilateral action taken on the part of the FBI or participating agencies relating to GRITT investigations or areas of concern. All law enforcement actions will be coordinated and cooperatively carried out.

B. Informants

The disclosure of FBI informants to non-GRITT members will be limited to those situations where it is essential to the effective performance of GRITT. These disclosures will be consistent with applicable FBI guidelines.

Non-FBI GRITT members may not make any further disclosure of the identity of an FBI informant, including to other members of GRITT. No documents which identify, tend to identify, or may indirectly identify an FBI informant may be released without prior FBI approval.

In those instances where a participating agency provides an informant, the FBI may, at the discretion of the SAC, become solely responsible for the informant's continued development, operation, and for compliance with necessary administrative procedures regarding operation and payment as set forth by the FBI.

The United States Attorney General guidelines and FBI policy and procedure for operating FBI informants and cooperating witnesses (CWs) shall apply to all FBI informants and CWs opened and operated in furtherance of GRITT investigations. Documentation of, and any payments made to, FBI informants and CWs shall be in accordance with FBI policy and procedure.

Operation, documentation, and payment of solely state, county, or local informants and CWs opened and operated by Non-FBI GRITT members in furtherance of GRITT investigations must be in accordance with the United States Attorney General's guidelines. Documentation of state, county, or local informants and CWs opened and operated in furtherance of GRITT investigations shall be maintained at an agreed to location.

C. Reports and Records

All investigative reporting will be prepared in compliance with existing FBI policy. Subject to pertinent legal and/or policy restrictions, copies of pertinent documents created by each member of the GRITT will be made available for inclusion in the respective investigative agencies' files as appropriate.

GRITT reports prepared in cases assigned to state, county and local participants will be maintained at a FBI approved location; original documents will be maintained by the FBI.

Records and reports generated in GRITT cases which are opened and assigned by the FBI SSA with designated oversight for investigative and personnel matters will be maintained in the FBI investigative file for GRITT.

GRITT investigative records maintained at the Merrillville Resident Agency (RA) office of the FBI will be available to all GRITT members, as well as their supervisory and command staff subject to pertinent legal, administrative and /or policy restrictions.

All evidence and original tape recordings (audio and video) acquired during the course of the GRITT investigations will be maintained by the FBI. The FBI's rules and policies governing the submission, retrieval and chain of custody will be adhered to by GRITT personnel.

ALL GRITT investigative records will be maintained at an approved FBI location.

Placement of all or part of said information into participating agency files rests with the discretion of supervisory personnel of the concerned agencies.

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Classified information and/or documents containing information that identifies or tends to identify an FBI informant shall not be placed in the files of participating agencies unless appropriate FBI policy has been satisfied.

7) INFORMATION SHARING

No information possessed by the FBI, to include information derived from informal communications by the Assignee with personnel of the FBI, may be disseminated by the Assignee to non GRITT personnel without the permission of the Assignee's designated FBI GRITT Supervisor and in accordance with the applicable laws and internal regulations, procedures or agreements between the FBI and the Participating Agencies that would permit the Participating Agencies to receive that information directly. Likewise, the Assignee will not provide any Participating Agency information to the FBI that is not otherwise available to it unless authorized by appropriate Participating Agency officials.

8) PROSECUTIONS

GRITT investigative procedure is to conform to the requirements for Federal Prosecution.

A determination will be made on a case-by-case basis whether the prosecution of GRITT cases will be at the State or Federal level. This determination will be based on the evidence obtained and a consideration of which level of prosecution would be of the greatest benefit to the overall objectives of the GRITT.

In the event that a state or local matter is developed that is outside the jurisdiction of the FBI or it is decided to prosecute a GRITT case at the state or local level, the FBI agrees to provide all relevant information to state and local authorities.

Whether to continue and/or conduct additional investigation of the state or local crimes involved will be at the sole discretion of the respective state and local authorities.

A. Investigative Methods/Evidence

For cases assigned to an FBI Special Agent or in which FBI informants or cooperating witnesses are utilized, the parties agree to conform to federal standards concerning evidence collection, processing, storage, and electronic surveillance.

In all cases assigned to state, county, or local law enforcement participants, the parties agree to utilize federal standards pertaining to evidence handling and electronic surveillance activities to the greatest extent possible. However, in situations where the statutory or common law of the state is more restrictive than the comparable federal law, the investigative methods employed by state and local law enforcement agencies shall conform to the requirements of such statutory or common law pending a decision as to venue for prosecution.

The use of other investigative methods (search warrants, interceptions of oral communications, etc.) and reporting procedures in connection therewith will be consistent with the policy and procedures of the FBI.

B. Undercover Operations

All GRITT undercover operations will be conducted and reviewed in accordance with FBI guidelines and the Attorney General's Guidelines on Federal Bureau of Investigation Undercover Operations. All participating agencies may be requested to enter into an additional Memorandum of Understanding (MOU) if a member of the participating agency is assigned duties which require the officer to act in an undercover capacity.

9) DEADLY FORCE AND SHOOTING INCIDENT POLICIES

Members of GRITT will follow their own agency's policy concerning firearms discharge and use of deadly force.

10) DEPUTATIONS

Local and state law enforcement personnel designated to the GRITT, subject to a limited background inquiry, may be sworn as federally deputized Special Deputy United States Marshals, with the FBI securing the required deputation authorization. These deputations should remain in effect throughout the tenure of each investigator's assignment to the GRITT or until the termination of the GRITT whichever comes first.

Administrative and personnel policies imposed by the participating agencies will not be voided by deputation of their respective personnel.

11) VEHICLES

The FBI may authorize members of the GRITT to use vehicles owned or leased by the FBI when necessary in connection with GRITT surveillance, case management and investigations, and if available.

When authorized, participating agency personnel using FBI vehicles agree to operate the vehicles in accordance with all applicable FBI rules and regulations as outlined in the FBI Manual of Administrative Operations and Procedures (MAOP), Part I Section 3.1.

FBI vehicles, including Government-owned, rented, and leased vehicles, are to be used for official business only.

The participating agencies agree that FBI vehicles will not be used to transport passengers unrelated to GRITT business.

The responsibility for all other liability attributed to the participating agencies resulting from the use of GRITT vehicles by their employees, confidential informants, or by cooperating witnesses rests with the individual participating agency.

The participating agencies agree to be responsible for any damage incurred to GRITT vehicles caused by any act or omission on the part of their respective employees and participating agencies agree to assume financial responsibility for property damage to said vehicles.

A separate vehicle use agreement will be executed by the GRITT member.

12) SALARY/OVERTIME COMPENSATION

The overtime of GRITT members may be paid by the FBI in accordance with a separate Contract Reimbursement Agreement.

13) PROPERTY AND EQUIPMENT

Property utilized by the GRITT in connection with authorized investigations and/or operations and is the custody and control and used at the direction of the GRITT, will be maintained in accordance with the policies and procedures of the agency supplying the equipment.

14) FUNDING

This MOU is not an obligation or commitment of funds, nor a basis for transfer of funds, but rather is a basic statement of the understanding between the parties hereto of the tasks and methods for performing the tasks described herein. Unless otherwise agreed in writing, each party shall bear its own costs in relation to this MOU. Expenditures by each party will be subject to its budgetary processes and to the availability of funds and resources pursuant to applicable laws, regulations, and policies. The parties expressly acknowledge that the above language in no way implies that Congress will appropriate funds for such expenditures.

15) FORFEITURES

The FBI shall be responsible for the processing of assets seized for federal forfeiture in conjunctions with GRITT operations.

Asset forfeitures will be conducted in accordance with Federal law, and the rules and regulations set forth by the FBI and Department of Justice (DOJ). Forfeitures attributable to GRITT investigations may be distributed among the agencies participating in the GRITT.

16) DISPUTE RESOLUTION

In cases of overlapping jurisdiction, the participating agencies agree to work in concert to achieve the GRITT's objectives.

The parties agree to attempt to resolve any disputes regarding jurisdiction, case assignments, workload, etc., at the field level first before referring the matter to supervisory personnel for resolution.

17) MEDIA RELEASES

All media releases and statements will be mutually agreed upon and jointly handled according to FBI and participating agency guidelines.

Press releases will conform to DOJ Guidelines regarding press releases. No release will be issued without FBI final approval.

18) SECURITY CLEARANCES

Thirty days prior to being assigned to the GRITT, each candidate will be required to furnish pages 1, 2, 3, 9 (certification only), and 10 of the "Questionnaire for Sensitive Positions" (SF-86). Sometime thereafter, a representative from the FBI will conduct an interview of each candidate.

If, for any reason, a candidate is not selected, the participating agency will be so advised and a request will be made for another candidate.

Upon being selected, each candidate will receive a comprehensive briefing on FBI field office security policy and procedures.

During the briefing, each candidate will execute a non-disclosure agreement (SF-312) and FD-868, as may be necessary or required by the FBI.

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When FBI space becomes available, before receiving access, GRITT members will be required to undergo a full background investigation and receive and maintain a "Top Secret" security clearance. In addition, GRITT members will also be required to complete the "Questionnaire for Sensitive Positions" and the required fingerprint cards. In the interim, GRITT members will not be allowed unescorted access to FBI space.

Upon departure from the GRITT, each candidate will be given a security debriefing and reminded of the provisions contained in the non-disclosure agreement previously agreed to by the GRITT member.

19) LIABILITY

Unless specifically addressed by the terms of this MOU, the parties agree to be responsible for the negligent or wrongful acts or omissions of their respective employees. Legal representation by the United States is determined by DOJ on a case by case basis. The FBI cannot guarantee the United States will provide legal representation to any Federal, state or local law enforcement officer.

Congress has provided that the exclusive remedy for the negligent or wrongful act or omission of an employee of the United States government, acting within the scope of his employment, shall be an action against the United States under the Federal Tort Claims Act (FTCA), 28 U.S.C. § 1346(b), §§ 2671-2680.

For the limited purpose of defending claims arising out of GRITT activity, state or local law enforcement officers who have been specially deputized and who are acting within the course and scope of their official duties and assignments pursuant to this MOU, may be considered an "employee" of the United States government as defined in 28 U.S.C. § 2671. See 5 U.S.C. § 3374(c)(2).

Under the Federal Employees Liability Reform and Tort Compensation Act of 1988 (commonly known as the Westfall Act), 28 U.S.C. § 2679(b)(1) the Attorney General or her designee may certify that an individual defendant acted within the scope of his employment at the time of the incident giving rise to the suit. *Id.*, 28 U.S.C. § 2679(d)(2). The United States can then be substituted for the employee as the sole defendant with respect to any tort claims: 28 U.S.C. § 2679(d)(2). If the United States is substituted as defendant, the individual employee is thereby protected from suits in his official capacity.

If the Attorney general declines to certify that an employee was acting within the scope of employment, "the employee may at any time before trial

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petition the court to find and certify that the employee was acting within the scope of this office or employment." 28 U.S.C. § 2679(d)(3).

Liability for negligent or willful acts of GRITT employees, undertaken outside the terms of this MOU will be the sole responsibility of the respective employee and agency involved.

Liability for violations of federal constitutional law rests with the individual federal agent or officer pursuant to Bivens v. Six Unknown Named Agents of the Federal Bureau of Narcotics, 403 U.S. 388 (1971) or pursuant to 42 U.S.C. § 1983 for state and local officers or cross-deputized federal officers.

Both state and federal officers enjoy qualified immunity from suit for constitutional torts "insofar as their conduct does not violate clearly established statutory or constitutional rights of which a reasonable person would have known. Harlow v. Fitzgerald, 457 U.S. 800 (1982).

GRITT officers may request representation by the U.S. Department of Justice for civil suits against them in their individual capacities for actions taken within the scope of employment. 28 C.F.R. §§ 50.15, 50.16.

An employee may be provided representation "when the actions for which representation requested reasonably appear to have been performed within the scope of the employee's employment and the Attorney General or [her] designee determines that providing representation would otherwise be in the interest of the United States." 28 C.F.R. § 50.15(a).

A GRITT officer's written request for representation should be directed to the Attorney General and provided to the Chief Division Counsel (CDC) of the FBI division coordinating GRITT. The CDC will then forward the representation request to the FBI's Office of the General Counsel (OGC) together with a Letterhead memorandum concerning the factual basis for the lawsuit. FBI/OGC will then forward the request to the Civil Division of DOJ together with an agency recommendation concerning scope of employment and Department representation. 28 C.F.R. § 50.15(a)(3).

If a GRITT officer is found to be liable for a constitutional tort, he/she may request indemnification from DOJ to satisfy an adverse judgment rendered against the employee in his/her individual capacity. 28 C.F.R. § 50.15(c)(4). The criteria for payment are substantially similar to those used to determine whether a federal employee is entitled to DOJ representation under 28 C.F.R. § 50.15(a).

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20) DURATION

The term of this MOU is for the duration of the GRITTs operations, contingent upon approval of necessary funding, but may be terminated at any time upon written mutual consent of the agency involved.


Any participating agency may withdraw from GRITT at any time by written notification to the SSA with designated oversight for investigative and personnel matters or program manager of the SSTF at least 30 days prior to withdrawal.

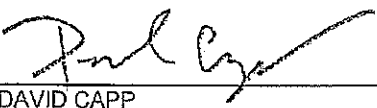
Upon termination of this MOU, all equipment provided to the GRITT will be returned to the supplying agency/agencies. In addition, when an entity withdraws from the MOU, the entity will return equipment to the supplying agency/agencies. Similarly, remaining agencies will return to a withdrawing agency any unexpended equipment supplied by the withdrawing agency during any SSTF participation.


21) MODIFICATIONS

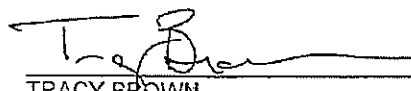
This agreement may be modified at any time by written consent of all involved agencies.

Modifications to this MOU shall have no force and effect unless such modifications are reduced to writing and signed by an authorized representative of each participating agency.



MICHAEL S. WELCH Date 6/12/08
Special Agent in Charge
FBI


DAVID CAPP Date 6-10-08
United States Attorney
United States Attorney's Office
Northern District of Indiana


PATRICK HARRINGTON Date 5-28-08
Tippecanoe County Prosecutor
Tippecanoe County Prosecutor's Office


TRACY BROWN Date 6-3-08
Tippecanoe Sheriff
Tippecanoe Sheriff's Department



DAVID PAYNE Date 6-3-08
Deputy Chief of Police
Lafayette Police Department


JASON DOMBKOWSKI Date 6-3-08
Chief of Police
West Lafayette Police Department


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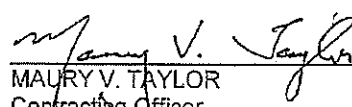
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 06/03/08

JOHN COX Date
Chief of Police
Purdue University Police Department

 6/12/08

PAUL WHITESELL, Ph.D. Date
Superintendent
Indiana State Police

 6/24/2008

MAURY V. TAYLOR Date
Contracting Officer
Federal Bureau of Investigation
Maury V. Taylor
Contracting Officer
Federal Bureau of Investigation

Purdue Range Agreement MOU.pdf

**FACILITY USE AGREEMENT
BETWEEN
[NAME OF GROUP] AND Purdue University**

This Facility Use Agreement is made between West Lafayette Police Department hereinafter referred to as **User Group**, and Purdue University for and on behalf of the Purdue University Police Department, 205-S. Martin Jischke Dr., West Lafayette, Indiana 47906, hereinafter referred to as **Purdue**.

WITNESSETH

In consideration of our mutual promises and understandings as hereinafter set forth, it is mutually understood and agreed as follows:

1. FACILITY USE

Purdue agrees to allow **User Group** to use the William Sanders Memorial Range and Police Training Area located at 1550 South River Rd, West Lafayette, Indiana 47906 (the "Facilities") for the purpose of conducting safe, regular, relevant and realistic firearms training. **Purdue** may terminate the **User Group's** rights under this Agreement and/or immediately remove (or have removed) all or any individuals from the Facilities if the Facilities are used for any purpose other than the purpose stated in this Section of the Agreement. **User Group** shall have use of the Facilities and Equipment from September 1, 2015 through August 31, 2016 (the "Term") unless terminated sooner as provided herein. This Agreement shall automatically renew annually unless either party provides notice of its intention not to renew sixty (60) days prior to the end of the Term or any renewal term.

2. TERMINATION

Purdue may, at its option and without limitation of other rights, terminate this Agreement due to misuse of the Facilities. **Purdue** has the right, but not the obligation, to monitor the **User Group's** use of the Facilities and Equipment. If **Purdue** determines, within its sole and absolute discretion, that continued use of the Facilities poses a risk to the safety of any person, **Purdue** may terminate the **User Group's** rights under this Agreement and/or immediately remove (or have removed) all or any individual(s) from the Facilities. **Purdue** may also terminate this Agreement for any other reason outlined herein.

3. REPORTING

User Group must use the sign-in form, recording the date(s) and time(s) of each and every use of the Facilities.

4. FEES

User Group agrees to pay **Purdue** the fee of Two Thousand Five Hundred Dollars and No Cents (\$2,500.00) for the use of the Facilities during the Term. The fees may increase during each renewal term during this Agreement. Fees for each renewal term shall not exceed ten percent (10%) greater than the fees charged to User Group during the previous year. **Purdue** will provide notice to User Group of the amount of fees for the upcoming renewal term ninety (90) days prior to the end of each term.

5. INVOICE AND PAYMENT

Purdue will issue an invoice to **User Group** based on the Fee set forth in Section 4 above. **User Group** agrees to pay the invoice within 30 days of invoice date.

6. MAINTENANCE

Purdue shall be responsible for Maintenance on the Facilities. Maintenance may include work days scheduled for significant maintenance or improvements which may include help from volunteers from **User Group**. **User Group** shall be responsible for the regular care and maintenance of the Facilities as well as any and all items used during the course of firearms training. Such care includes, but is not limited to: maintaining cleanliness within the range house (sweeping the floor, trash removal, etc.), picking up all brass, maintaining an orderly shooting area with respect to props, target stands, etc.

7. DAMAGE TO FACILITIES AND EQUIPMENT

If **User Group** or any of **User Group's** staff, volunteers, participants, invitees, licensees, and/or any individual(s) on or near the Facilities as a result of **User Group's** use of the Facilities under this Agreement causes damage to the Facilities, other than ordinary wear and tear, **User Group** shall pay any costs associated with repairing the damage and restoring the Facilities to their condition prior to **User Group's** use thereof.

8. POLICIES

The Facilities operate under **Purdue University** policies, including but not limited to the following:

- a. Use, possession, distribution, or sale of controlled substances as defined in Indiana Criminal Code is prohibited.
- b. Possession, consumption, distribution, or sale of alcoholic beverages, as defined by Indiana State law, is prohibited.
- c. Smoking is prohibited on the West Lafayette Campus, except in designated smoking areas. Smoking is also prohibited in all vehicles owned or leased by **Purdue University** both on and off the campus. Smoking is permitted inside privately owned, closed vehicles. Commercial sponsorship and solicitation are prohibited, except with prior approval by **Purdue**.
- d. Any use of postings, floor or field marking is prohibited, except with prior approval by **Purdue**.

If any of the above **Purdue University** policies or Safety and Shooting Areas requirements as set forth in below-Section 9 is violated, **Purdue** shall have the right to immediately terminate this Agreement and retain the Fees.

9. SAFETY AND SHOOTING AREAS

User Group shall follow proper safety guidelines. **User Group** shall be responsible for each officer who uses the range, ensuring that each officer follows strict safety guidelines. The firing of any and

all firearms shall only take place within the shooting area (specifically, the building which contains baffles), as it is the only area where fired rounds are completely prevented from traveling beyond the William Sanders Memorial Range. No baffles above the shooting area should ever be struck by fired rounds. In the event that a baffle is struck by fired rounds, **User Group** must promptly report the damage to the representative of the Purdue University Police Department. **User Group** hereby agrees non-law enforcement officers are strictly prohibited from using the Facilities.

10. ATTIRE AND AMMUNITION

Appropriate attire is required at all times. **User Group** will provide its own ammunition, firearms and other related equipment while using the Facilities.

11. INDEMNIFICATION

User Group agrees to indemnify, defend, and hold harmless Purdue University, Its Trustees, officers, employees, or representatives from and against any losses, costs, damages, and expenses resulting from claims for bodily injury, property damage, or personal injury arising out of the negligent actions or omissions of **User Group** or **User Group's** guests.

12. SAFETY

User Group and its subcontractor(s), if any, shall perform security clearance background checks on all **User Group's** and subcontractor(s)'s officers, agents, employees and volunteers assigned to have access to the Facilities to identify whether any such individual is a registered sex offender pursuant to Zachary's Law, Ind. Code § 11-8-8 et seq. or the equivalent law of the individual's state of residence. **User Group** shall not assign any individuals identified as registered sex offenders to perform work or services at the Facilities. **Purdue** reserves the right to immediately remove any individuals identified as registered sex offenders from the Facilities. **Purdue** reserves the right to require additional background checks be made on any of **User Group's** and its subcontractor(s)'s officers, agents, employees or volunteers assigned to have access to the Facility. **User Group** shall be solely responsible for any costs associated with background checks.

Purdue reserves the right to perform a security clearance background check on any individual signatory to this Agreement to identify whether any such individual is a registered sex offender pursuant to Zachary's Law, Ind. Code § 11-8-8 et seq. or the equivalent law of the individual's state of residency.

13. INSURANCE

Purdue is responsible for the necessary insurance to cover the Facilities, including all buildings and grounds. **User Group** agrees to carry commercial general liability insurance with a minimum limit of \$1 million covering any claims for bodily injury, property damage, or personal injury that arise out of **User Group's** use of the Facilities, unless such claims are the result of the sole gross negligence of **Purdue**, and worker's compensation, as required by the laws of the State of Indiana. **User Group** agrees to provide a certificate of insurance (COI) showing proof of such coverage to **Purdue** upon the signing of this Agreement. The COI should name The Trustees of Purdue University and Purdue University as Additional Insured.

14. **WARRANTY DISCLAIMER; LIMITATION OF DAMAGES**

- a. **Facilities.** User Group has had the opportunity to inspect the Facilities and User Group acknowledges and agrees that the Facilities are provided for User Group's use "as is, where is" without warranty of any type or kind, express or implied, including any warranty that either is merchantable or fit for User Group's intended use or for any other particular purpose. User Group assumes the entire risk that any Facilities do not satisfy User Group's needs or expectations in any respect, regardless of whether any defect or deficiency is caused in whole or in part by Purdue's negligence or other fault.
- b. **Limitation of Damages.** Purdue shall have no liability to User Group or any other person or entity under any circumstance for any incidental, special, consequential, punitive or exemplary damages, or for loss of profits, revenues, or other economic loss, regardless of whether or not Purdue knew or had reason to know of the possibility of such damages in advance. Without limiting the generality of the foregoing, Purdue shall have no liability under any circumstance for breach of this Agreement in any amount which exceeds the total of all Fees pursuant to Section 4 of this Agreement which Purdue has received from User Group hereunder.

15. **ADVERTISING**

User Group agrees not to make reference to Purdue in any external advertisements without prior written approval from Purdue. Furthermore, User Group agrees not to use Purdue's logos and licensed trademarks without the expressed written permission of Purdue.

16. **NOTICES**

Any notice or other correspondence required or permitted to be given pursuant to this Agreement will be in writing and will be deemed to have been given if: (a) served personally, (b) sent by facsimile with confirmation of receipt, or (c) sent by first class mail, postage prepaid, to the addresses set forth below or to such other addresses as either party hereto may designate by notice to the other party.

User Group:

West Lafayette Police Department
711 W. Navajo Street
West Lafayette, IN 47906

Attn: Jason Dombkowski
Phone: 765-775-5200
Fax:

Purdue:

Purdue University Police Department
205 S. Martin Jischke Drive
West Lafayette, IN 47906

Attn: John K. Cox
Phone: 765-494-8221
Email: jkcox@purdue.edu

17. **GOVERNING LAW; EXCLUSIVE JURISDICTION; EXCLUSIVE VENUE**

This Agreement is entered into in Indiana and shall be governed by and construed in accordance with the substantive law (and not the law of conflicts) of the State of Indiana. Courts of competent authority located in Tippecanoe County, Indiana, shall have sole and exclusive jurisdiction of any action arising out of or in connection with this Agreement, and such courts shall be the sole and exclusive venue for any such action.

18. **COMPLIANCE WITH GOVERNMENT STATUTES AND REGULATIONS**

User Group warrants and certifies that in the performance of this Agreement it has complied with or will comply with all applicable statutes, rules, regulations and orders of the United States, and any state or political subdivision thereof, including laws and regulations pertaining to labor, wages, hours and other conditions of employment, and applicable price ceilings, if any, and that the goods or services delivered hereunder shall be produced or performed in compliance with the Fair Labor Standards Act.

19. **GENERAL**

In the event any party hereto pursues litigation to enforce this Agreement, the prevailing party is entitled to recover reasonable attorneys' fees and court costs. If any provision of this Agreement is declared to be invalid by a court of competent jurisdiction, such provision shall be severed from this Agreement and the other provisions hereof shall remain in full force and effect. This Agreement contains the entire understanding of the parties with respect to the matters contained herein. There are no promises, covenants or undertakings other than those expressly set forth herein. Amendments, modifications or changes of or to this Agreement must be made in writing and signed by a duly authorized representative of both parties. **User Group** may not assign any rights under this Agreement, without the prior written approval of **Purdue**. Subject to the foregoing sentence, this Agreement shall be binding upon **Purdue** and **User Group**, their successors and assigns.

IN WITNESS WHEREOF, the parties have caused their duly authorized representatives to execute this Agreement.

User Group:

West Lafayette Police Department

By: 

Name: Jason Dombkowski

Title: Chief

Date: 10-8-15

Purdue:

Purdue University

By: 

Name: John K. Cox

Title: Chief of Police

Date: 10/13/15



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
10/13/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER MBAH Insurance 2663 DUNCAN RD P.O. BOX 5609 LAFAYETTE IN 47903	CONTACT NAME: Carol Ruemler AAI PHONE (A/C, No, Ext): (765) 423-5421 FAX (A/C, No): (765) 742-7486 E-MAIL ADDRESS: cruemler@mbah.com
INSURED City of West Lafayette Attn: Judy Rhodes 609 W. Navajo West Lafayette IN 47906	INSURER(S) AFFORDING COVERAGE INSURER A: Travelers NAIC # 0041 INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:

COVERAGES CERTIFICATE NUMBER: Trustees of PU REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADOL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:		ZLP15R73616	1/1/2015	1/1/2016	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ None PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 Employee Benefits \$ 1,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N/A				PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER Trustees of Purdue University And Purdue University 401 South Grant St West Lafayette, IN 47907	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE Carol Ruemler AAI/CMR <i>Carol M Ruemler</i>
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MOU with Tippecanoe County Health Department.pdf

Memorandum of Understanding

Between
Tippecanoe County Health Department
and
West Lafayette Police Department

This Memorandum of Understanding (MOU) dated 06/04/2015 is entered into by and between West Lafayette Police Department (WLPD), with an address at 711 W. Navajo St., West Lafayette, IN. 47906 and Tippecanoe County Health Department (TCHD), with an address at 629 N. 6th St. Ste A, Lafayette, IN. 47901.

Whereas Tippecanoe County Health Department and West Lafayette Police Department desire to enter into an agreement in which they will work together to comply with Indiana laws and regulations governing animal bite management.

Purpose

- Establish West Lafayette Police Department as the Tippecanoe County Health Officer's designee to carry out specific animal bite management duties as described in 410 IAC 1-2.3
- Establish a relationship between Tippecanoe County Health Department and West Lafayette Police Department for the purpose of consistent and complete animal bite management within the City of West Lafayette
- Assure the Indiana Administrative Code is known and followed in relation to animal to human bites, bite reporting, animal quarantine, and bite management
- Prevent duplication of services

Roles and Responsibilities

Responsibilities shall include, but are not limited to, the following:

Tippecanoe County Health Department will be responsible for:

- Communicating all information with WLPD Animal Control that is needed to fulfill their responsibilities
- Working with WLPD Animal Control to educate local healthcare providers on proper reporting and treatment procedures
- Planning yearly MOU review meetings
- Communicating changes in the law that will alter or affect the duties of either party
- Reviewing all animal to human bite reports to determine if post-exposure treatment is needed and managing such treatment.
- Reporting to Indiana State Department of Health

West Lafayette Police Department Animal Control will be responsible for:

- Communicating all information related to an animal bite investigation with TCHD
- Working with TCHD to educate local healthcare providers on proper reporting and treatment procedures
- Investigating all animal to human bite reports
- Quarantine as necessary
- Collecting the biting animal per Indiana Administrative Code 410 IAC 1-2.3

Review

This agreement will be reviewed annually to discuss concerns, questions, difficulties, and any other topics related to this MOU agreement.

Funding

This MOU is not an offer or commitment of funding from either party.

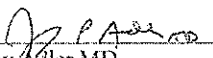
Duration

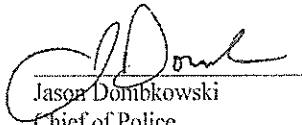
This MOU is at-will and may be modified by mutual consent of authorized officials from Tippecanoe County Health Department and West Lafayette Police Department. This MOU shall become effective upon receipt of signature by authorized officials and will remain in effect until modified or terminated by any one of the partners by mutual consent. In the absence of mutual agreement by the authorized officials this MOU shall end on January 1, 2017.

Contact Information

West Lafayette Police Department
Animal Control Officer
20 N. 6th St.
West Lafayette, IN. 47906
765-807-1200
jhking@westlafayettecpd.us

Tippecanoe County Health Department
Nursing Division
629 N. 6th St. Ste A
Lafayette, IN. 47901
765-423-9798
bvanlaere@tippecanoe.in.gov

 Date: 4/4/15
Jeremy Adler MD
Health Officer
Tippecanoe County Health Department

 Date: 4/4/15
Jason Dombkowski
Chief of Police
West Lafayette Police Department

Issue Date:

Revision Number Date:

By Order of the Chief:

/ /

Police Officer Oath of Office.pdf

POLICE OFFICER'S OATH OF OFFICE

DEPARTMENT OF POLICE

West Lafayette, Indiana

I, _____, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Indiana, and that I will faithfully discharge the duties of a Police officer of the City of West Lafayette, Indiana, to the best of my ability, so help me God.

Signed: _____

Subscribed and sworn to before me this _____ day of _____.

20____.

City Clerk-Treasurer

Purdue Range Agreement June 2016.pdf

**FACILITY USE AGREEMENT
BETWEEN
West Lafayette Police AND Purdue University**

This Facility Use Agreement is made between West Lafayette Police Department hereinafter referred to as **User Group**, and Purdue University for and on behalf of the Purdue University Police Department, 205 S. Martin Jischke Dr., West Lafayette, Indiana 47906, hereinafter referred to as **Purdue**.

WITNESSETH

In consideration of our mutual promises and understandings as hereinafter set forth, it is mutually understood and agreed as follows:

1. FACILITY USE

Purdue agrees to allow **User Group** to use the William Sanders Memorial Range and Police Training Area located at 1550 South River Rd, West Lafayette, Indiana 47906 (the "Facilities") for the purpose of conducting safe, regular, relevant and realistic firearms training. **Purdue** may terminate the **User Group's** rights under this Agreement and/or immediately remove (or have removed) all or any individuals from the Facilities if the Facilities are used for any purpose other than the purpose stated in this Section of the Agreement. **User Group** shall have use of the Facilities and Equipment from September 1, 2016 through August 31, 2017 (the "Term") unless terminated sooner as provided herein. This Agreement shall automatically renew annually unless either party provides notice of its intention not to renew sixty (60) days prior to the end of the Term or any renewal term.

2. TERMINATION

Purdue may, at its option and without limitation of other rights, terminate this Agreement due to misuse of the Facilities. **Purdue** has the right, but not the obligation, to monitor the **User Group's** use of the Facilities and Equipment. If **Purdue** determines, within its sole and absolute discretion, that continued use of the Facilities poses a risk to the safety of any person, **Purdue** may terminate the **User Group's** rights under this Agreement and/or immediately remove (or have removed) all or any individual(s) from the Facilities. **Purdue** may also terminate this Agreement for any other reason outlined herein.

3. REPORTING

User Group must use the sign-in form, recording the date(s) and time(s) of each and every use of the Facilities.

4. FEES

User Group agrees to pay **Purdue** the fee of Two Thousand Five Hundred Dollars and No Cents (\$2,500.00) for the use of the Facilities during the Term. The fees may increase during each renewal term during this Agreement. Fees for each renewal term shall not exceed ten percent (10%) greater than the fees charged to User Group during the previous year. **Purdue** will provide notice to User Group of the amount of fees for the upcoming renewal term ninety (90) days prior to the end of each term.

5. INVOICE AND PAYMENT

Purdue will issue an invoice to **User Group** based on the Fee set forth in Section 4 above. **User Group** agrees to pay the invoice within 30 days of invoice date.

6. MAINTENANCE

Purdue shall be responsible for Maintenance on the Facilities. Maintenance may include work days scheduled for significant maintenance or improvements which may include help from volunteers from **User Group**. **User Group** shall be responsible for the regular care and maintenance of the Facilities as well as any and all items used during the course of firearms training. Such care includes, but is not limited to: maintaining cleanliness within the range house (sweeping the floor, trash removal, etc.), picking up all brass, maintaining an orderly shooting area with respect to props, target stands, etc.

7. DAMAGE TO FACILITIES AND EQUIPMENT

If **User Group** or any of **User Group's** staff, volunteers, participants, invitees, licensees, and/or any individual(s) on or near the Facilities as a result of **User Group's** use of the Facilities under this Agreement causes damage to the Facilities, other than ordinary wear and tear, **User Group** shall pay any costs associated with repairing the damage and restoring the Facilities to their condition prior to **User Group's** use thereof.

8. POLICIES

The Facilities operate under **Purdue University** policies, including but not limited to the following:

- a. Use, possession, distribution, or sale of controlled substances as defined in Indiana Criminal Code is prohibited.
- b. Possession, consumption, distribution, or sale of alcoholic beverages, as defined by Indiana State law, is prohibited.
- c. Smoking is prohibited on the West Lafayette Campus, except in designated smoking areas. Smoking is also prohibited in all vehicles owned or leased by **Purdue University** both on and off the campus. Smoking is permitted inside privately owned, closed vehicles. Commercial sponsorship and solicitation are prohibited, except with prior approval by **Purdue**.
- d. Any use of postings, floor or field marking is prohibited, except with prior approval by **Purdue**.

If any of the above **Purdue University** policies or Safety and Shooting Areas requirements as set forth in below-Section 9 is violated, **Purdue** shall have the right to immediately terminate this Agreement and retain the Fees.

9. SAFETY AND SHOOTING AREAS

User Group shall follow proper safety guidelines. **User Group** shall be responsible for each officer who uses the range, ensuring that each officer follows strict safety guidelines. The firing of any and

all firearms shall only take place within the shooting area (specifically, the building which contains baffles), as it is the only area where fired rounds are completely prevented from traveling beyond the William Sanders Memorial Range. No baffles above the shooting area should ever be struck by fired rounds. In the event that a baffle is struck by fired rounds, **User Group** must promptly report the damage to the representative of the Purdue University Police Department. **User Group** hereby agrees non-law enforcement officers are strictly prohibited from using the Facilities.

10. ATTIRE AND AMMUNITION

Appropriate attire is required at all times. **User Group** will provide its own ammunition, firearms and other related equipment while using the Facilities.

11. INDEMNIFICATION

User Group agrees to indemnify, defend, and hold harmless Purdue University, Its Trustees, officers, employees, or representatives from and against any losses, costs, damages, and expenses resulting from claims for bodily injury, property damage, or personal injury arising out of the negligent actions or omissions of **User Group** or **User Group's** guests.

12. SAFETY

User Group and its subcontractor(s), if any, shall perform security clearance background checks on all **User Group's** and subcontractor(s)'s officers, agents, employees and volunteers assigned to have access to the Facilities to identify whether any such individual is a registered sex offender pursuant to Zachary's Law, Ind. Code § 11-8-8 et seq. or the equivalent law of the individual's state of residence. **User Group** shall not assign any individuals identified as registered sex offenders to perform work or services at the Facilities. **Purdue** reserves the right to immediately remove any individuals identified as registered sex offenders from the Facilities. **Purdue** reserves the right to require additional background checks be made on any of **User Group's** and its subcontractor(s)'s officers, agents, employees or volunteers assigned to have access to the Facility. **User Group** shall be solely responsible for any costs associated with background checks.

Purdue reserves the right to perform a security clearance background check on any individual signatory to this Agreement to identify whether any such individual is a registered sex offender pursuant to Zachary's Law, Ind. Code § 11-8-8 et seq. or the equivalent law of the individual's state of residency.

13. INSURANCE

Purdue is responsible for the necessary insurance to cover the Facilities, including all buildings and grounds. **User Group** agrees to carry commercial general liability insurance with a minimum limit of \$1 million covering any claims for bodily injury, property damage, or personal injury that arise out of **User Group's** use of the Facilities, unless such claims are the result of the sole gross negligence of **Purdue**, and worker's compensation, as required by the laws of the State of Indiana. **User Group** agrees to provide a certificate of insurance (COI) showing proof of such coverage to **Purdue** upon the signing of this Agreement. The COI should name The Trustees of Purdue University and Purdue University as Additional Insured.

14. **WARRANTY DISCLAIMER; LIMITATION OF DAMAGES**

- a. **Facilities.** **User Group** has had the opportunity to inspect the Facilities and **User Group** acknowledges and agrees that the Facilities are provided for **User Group's** use "as is, where is" without warranty of any type or kind, express or implied, including any warranty that either is merchantable or fit for **User Group's** intended use or for any other particular purpose. **User Group** assumes the entire risk that any Facilities do not satisfy **User Group's** needs or expectations in any respect, regardless of whether any defect or deficiency is caused in whole or in part by **Purdue's** negligence or other fault.
- b. **Limitation of Damages.** **Purdue** shall have no liability to **User Group** or any other person or entity under any circumstance for any incidental, special, consequential, punitive or exemplary damages, or for loss of profits, revenues, or other economic loss, regardless of whether or not **Purdue** knew or had reason to know of the possibility of such damages in advance. Without limiting the generality of the foregoing, **Purdue** shall have no liability under any circumstance for breach of this Agreement in any amount which exceeds the total of all Fees pursuant to Section 4 of this Agreement which **Purdue** has received from **User Group** hereunder.

15. **ADVERTISING**

User Group agrees not to make reference to **Purdue** in any external advertisements without prior written approval from **Purdue**. Furthermore, **User Group** agrees not to use **Purdue's** logos and licensed trademarks without the expressed written permission of **Purdue**.

16. **NOTICES**

Any notice or other correspondence required or permitted to be given pursuant to this Agreement will be in writing and will be deemed to have been given if: (a) served personally, (b) sent by facsimile with confirmation of receipt, or (c) sent by first class mail, postage prepaid, to the addresses set forth below or to such other addresses as either party hereto may designate by notice to the other party.

User Group:

West Lafayette Police Department
711 W. Navajo Street
West Lafayette, IN 47906

Attn:
Phone:
Email:

Purdue:

Purdue University Police Department
205 S. Martin Jischke Drive
West Lafayette, IN 47906

Attn: John K. Cox
Phone: 765-494-8221
Email: jkcox@purdue.edu

17. **GOVERNING LAW; EXCLUSIVE JURISDICTION; EXCLUSIVE VENUE**

This Agreement is entered into in Indiana and shall be governed by and construed in accordance with the substantive law (and not the law of conflicts) of the State of Indiana. Courts of competent authority located in Tippecanoe County, Indiana, shall have sole and exclusive jurisdiction of any action arising out of or in connection with this Agreement, and such courts shall be the sole and exclusive venue for any such action.

18. **COMPLIANCE WITH GOVERNMENT STATUTES AND REGULATIONS**

User Group warrants and certifies that in the performance of this Agreement it has complied with or will comply with all applicable statutes, rules, regulations and orders of the United States, and any state or political subdivision thereof, including laws and regulations pertaining to labor, wages, hours and other conditions of employment, and applicable price ceilings, if any, and that the goods or services delivered hereunder shall be produced or performed in compliance with the Fair Labor Standards Act.

19. **GENERAL**

In the event any party hereto pursues litigation to enforce this Agreement, the prevailing party is entitled to recover reasonable attorneys' fees and court costs. If any provision of this Agreement is declared to be invalid by a court of competent jurisdiction, such provision shall be severed from this Agreement and the other provisions hereof shall remain in full force and effect. This Agreement contains the entire understanding of the parties with respect to the matters contained herein. There are no promises, covenants or undertakings other than those expressly set forth herein. Amendments, modifications or changes of or to this Agreement must be made in writing and signed by a duly authorized representative of both parties. **User Group** may not assign any rights under this Agreement, without the prior written approval of **Purdue**. Subject to the foregoing sentence, this Agreement shall be binding upon **Purdue** and **User Group**, their successors and assigns.

IN WITNESS WHEREOF, the parties have caused their duly authorized representatives to execute this Agreement.

User Group:

West Lafayette Police Department

By: 

Name: Jason Dombkowski

Title: Chief of Police

Date: June 20, 2016

Purdue:

Purdue University

By: 

Name: John K. Cox

Title: Chief of Police

Date: 6/21/16



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

6/16/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER MBAH Insurance 2663 DUNCAN RD P.O. BOX 5609 LAFAYETTE IN 47903		CONTACT NAME: Carol Ruemler AAI PHONE (A/C, No, Ext): (765) 423-5421 E-MAIL ADDRESS: cruemler@mbah.com FAX (A/C, No): (765) 742-7486	
INSURED City of West Lafayette Attn: Peter Gray, City Controller 711 W Navajo St West Lafayette IN 47906		INSURER(S) AFFORDING COVERAGE INSURER A: Travelers INSURER B: Travelers Insurance Co INSURER C: Farmington Casualty Company INSURER D: INSURER E: INSURER F:	
		NAIC # 0041	

COVERAGES

CERTIFICATE NUMBER: 16/17 Master

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY			2LP15R73616	1/1/2016	1/1/2017	EACH OCCURRENCE	\$ 1,000,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 100,000
							MED EXP (Any one person)	\$ None
							PERSONAL & ADV INJURY	\$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER						GENERAL AGGREGATE	\$ 2,000,000
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC						PRODUCTS - COMP/OP AGG	\$ 2,000,000
	OTHER							\$
B	AUTOMOBILE LIABILITY			8100B16668-A	1/1/2016	1/1/2017	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000
	<input checked="" type="checkbox"/> ANY AUTO						BODILY INJURY (Per person)	\$
	<input type="checkbox"/> ALL OWNED AUTOS	<input type="checkbox"/> SCHEDULED AUTOS					BODILY INJURY (Per accident)	\$
	<input type="checkbox"/> HIRED AUTOS	<input type="checkbox"/> NON-OWNED AUTOS					PROPERTY DAMAGE (Per accident)	\$
								\$
B	<input type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> EXCESS LIAB			2UP15R73628	1/1/2016	1/1/2017	EACH OCCURRENCE	\$ 4,000,000
	<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE						AGGREGATE	\$ 4,000,000
	DED <input type="checkbox"/> RETENTION \$							\$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			UB4F01491A	1/1/2016	1/1/2017	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	<input type="checkbox"/> Y <input type="checkbox"/> N	N/A				E.L. EACH ACCIDENT	\$ 500,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	\$ 500,000
							E.L. DISEASE - POLICY LIMIT	\$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The Trustees of Purdue University and Purdue University are named as additional insureds as outlined in written contract or agreement.

CERTIFICATE HOLDER**CANCELLATION**

Trustees of Purdue University 401 S Grant St West Lafayette, IN 47907	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE Carol Ruemler AAI/CMR <i>Carol M Ruemler</i>

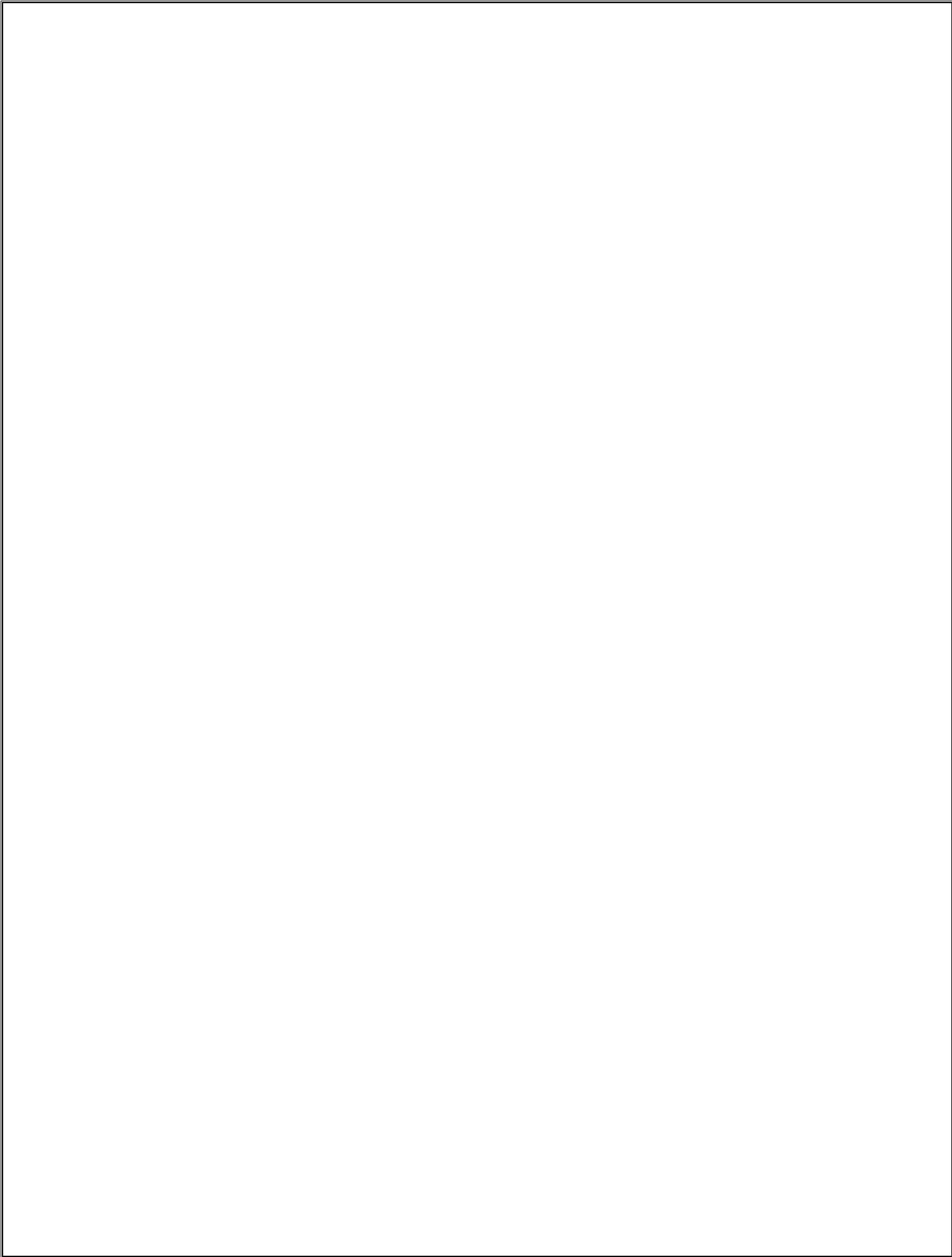
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City Employee Personnel Manual.pdf



Personnel Manual

EFFECTIVE: JANUARY 1, 2012



West Lafayette Personnel Manual

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1.00 PURPOSE AND AUTHORITY FOR PERSONNEL POLICIES AND PROCEDURES

1.01 POLICY

This personnel manual has been established to provide a uniform approach to the implementation and administration of the personnel policies of the City of West Lafayette. THIS PERSONNEL MANUAL IS NOT A CONTRACT BETWEEN THE CITY AND ITS EMPLOYEES. **THE CITY REMAINS FREE AT ALL TIMES TO CHANGE WAGES AND ALL OTHER WORKING CONDITIONS, EXCEPT AS OTHERWISE PROVIDED BY LAW OR CONTRACT, WITHOUT CONSULTATION OR AGREEMENT WITH THE EMPLOYEE AND CONTINUES TO HAVE THE POWER TO TERMINATE ANYONE WITH OR WITHOUT GOOD CAUSE.** THIS PERSONNEL MANUAL SUPERSEDES AND REPLACES ALL PREVIOUS PERSONNEL MANUALS

1.02 GENERAL PROVISIONS

- A. This Personnel Manual covers all City civilian employees. The West Lafayette Fire Department and Sworn Police Officers are covered by separate policies. This policy shall be effective beginning January 1, 2012.
- B. This Personnel Manual, the West Lafayette Fire Department Personnel Policies and Procedures and the West Lafayette Police Department Standard Operating Procedures Manual shall be kept on file in the Human Resources Director's Office and the Clerk Treasurer's Office.
- C. Policies and procedures found to be in violation of federal law, state statute, or city ordinance shall be declared null and void without effect on other policies and procedures.

2.00 DEFINITIONS

Active Paid Status - An employee is in active paid status when he/she is drawing earned compensation for employment, or is on paid sick leave, paid personal time, a paid holiday or paid vacation.

Board - Refers to the West Lafayette Board of Public Works and Safety or the West Lafayette Board of Parks and Recreation.

City - Refers to the City of West Lafayette, Indiana.

Equal Employment Officer - Refers to Mayor's designee who oversees the City's E.E.O. compliance.

Introductory Period - An employee is considered to be in an introductory period for a minimum of 90 calendar days from the start of his/her employment. This introductory period may be extended in individual cases with the consent of the department head and the Human Resources Director. During the introductory period, a newly appointed employee is required to demonstrate satisfactory performance of the duties of the position.

Regular Full-Time - Includes all employees who are regularly scheduled to work at least thirty (30) and up to forty (40) hours per calendar week. Regular full-time employees are entitled to benefits associated with full-time employment.

Regular Part-Time - Includes all employees who are regularly scheduled to work between twenty (20) and thirty (30) hours per calendar week. Regular part-time employees are entitled to accrued leave benefits on a *pro rata* basis according to their regularly scheduled work week.

Seasonal - Includes all employees whose employment schedule is for a specific seasonal period as determined by a department. Seasonal employees are not eligible for any benefit programs.

Temporary - Includes all employees whose employment schedule is short-term or intermittent. Temporary employees are not

eligible for any benefit programs. Temporary employment placements are subject to review and change, including termination, at the discretion of the Department Head and the Human Resources Director.

Special Employees - Includes those employees who occupy job positions which may, from time-to-time, be created as a result of grants or supplemental assistance, grants-in-aid or other such funding. Special employees are not eligible for any benefit programs.

3.00 EQUAL EMPLOYMENT OPPORTUNITY, AMERICANS WITH DISABILITIES ACT AND AFFIRMATIVE ACTION POLICIES

3.01 EQUAL EMPLOYMENT OPPORTUNITY POLICY

The City of West Lafayette recruits, hires, advances, and compensates without regard to race, religion, color, sex, age, marital status, familial status, sexual orientation, national origin, or ancestry in order to provide equal employment opportunity to all employees and applicants for employment in accordance with state and federal law. (See Appendix 3 for comprehensive policy against harassment and discrimination and complaint procedure.)

3.02 AMERICANS WITH DISABILITIES ACT POLICY

West Lafayette is committed to complying with all applicable provisions of the Americans with Disabilities Act ("ADA") and other laws governing disability discrimination. The City of West Lafayette will not discriminate against any qualified employee or applicant with regard to any term or condition of employment because of such individual's disability or perceived disability so long as the employee can perform the essential functions of the job, with or without reasonable accommodation. Consistent with this policy of nondiscrimination, the City will provide reasonable accommodations to a qualified individual with a disability, as defined by the ADA, who has made the City aware of his/her disability, provided that such accommodation does not constitute an undue hardship on the City. This includes making reasonable accommodation to allow individuals with disabilities to participate in the application and hiring process. Employees or applicants with a disability who believe they need a reasonable accommodation should contact their interviewer, immediate supervisor, a department head, or the Human Resources Director. The City encourages individuals with disabilities within the meaning of the ADA to come forward and request reasonable accommodation. (See Appendix 3 for comprehensive policy against harassment and discrimination and complaint procedure.)

3.03 AFFIRMATIVE ACTION POLICY

The City of West Lafayette will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. The City is committed to taking affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex or national origin. Such action will include, but not be limited to the following: employment, upgrading, demotion, or transfer, recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. (See the City's Affirmative Action Program, attached to this policy as Appendix 2.)

4.00 RECRUITING AND SELECTION

4.01 RECRUITING

If a vacancy occurs in a department, the department head will contact the Human Resources Director to initiate the following procedure:

- A. A formal job notice shall be publicly posted in City Hall and in each department. Copies shall also be sent to the Indiana

Department of Employment and Training Services and other pertinent agencies. Newspaper advertising may be utilized.

B. Job notices shall be posted for a minimum of five (5) working days before being closed.

C. All job notices, postings, ads, recruiting literature, etc. shall contain the phrase "*AN EQUAL OPPORTUNITY EMPLOYER*".

4.02 QUALIFICATIONS

Hiring qualifications are listed in the job description for the position to be filled. Each job description will specify essential and non-essential duties and qualifications. An employee must perform all duties, essential and non-essential, unless such duties can be reassigned as a reasonable accommodation without undue hardship.

4.03 INTERNAL PLACEMENT

When a vacancy occurs, consideration shall be given to current employees who possess the knowledge, skill and ability necessary to fill the vacant position.

All qualified internal candidates who request consideration for a position will be interviewed. Employees are encouraged to advise their current supervisor of their interest in a posted position. An employee selected for a position through the internal placement process may be retained in their former position until a replacement is obtained or satisfactory arrangements are made with their present department.

Civilian employees who are transferred between departments will maintain their seniority for accrued leave benefits. The head of the department into which the employee is transferring shall have the discretion of requesting that any unused accrued vacation and/or unused accrued compensatory time be paid to the employee before starting in his/her new position.

Non-civilian employees who are re-hired as civilian employees with the City shall be paid for any unused accrued sick leave benefits before starting work in their new position. His/her vacation allotment, not to exceed twenty (20) days, will transfer with the re-hired employee. Any vacation that exceeds the twenty (20) day maximum will be paid by the department from which the employee is transferring. The State mandated separation of employment as defined by the Indiana Public Employee's Retirement Fund ("PERF") must be satisfied before starting work as a civilian employee. The re-hired employee will be subject to the normal waiting periods for accrued leave and for his/her health and welfare benefits as for any new employee.

4.04 APPLICATION

All applicants will be required to complete the City's standard application form which is available from the Human Resources Director. A resume may be used as addendum to the application to provide the information specified in the job notice. No resume may be accepted which indicates that a candidate is member of a protected status category. False or misleading information given during the application process will result in rejection of the application and termination of employment if the applicant has been hired.

4.05 SELECTION

Department heads shall be responsible, after consultation with the Human Resources Director, for choosing the best qualified applicants for openings in their respective departments. Final hiring approval must come from the Board of Public Works and Safety or the Board of Parks and Recreation. This section does not apply to the Clerk-Treasurer's office.

4.06 NEPOTISM

In no event will any department head employ a relative in his/her department. In addition, the Parks and Recreation Department will not hire relatives of the Mayor, Clerk-Treasurer, Board of Parks and Recreation members or members of the Common Council. For purpose of this policy, "relatives" are defined as father, mother, spouse, child, brother, sister, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, stepfather, stepmother, stepson, stepdaughter, niece, nephew, grandparent, uncle, or aunt.

4.07 NEW EMPLOYEE PROCEDURE

Upon acceptance of a job offer, the new employee shall meet with the Human Resources Director for orientation and to complete certain forms.

As a condition of employment, every new employee must complete the Immigration and Naturalization Form I-9, with supporting documents within three business days of the date of employment. The City participates in E-Verify and will provide the Social Security Administration and, if necessary, the Department of Homeland Security, with information from the Form I-9 to confirm work authorization. The new employee shall also complete payroll, tax and insurance forms. The Human Resources Director will forward the completed forms to the Clerk-Treasurer's office. Payroll records will be maintained by the Clerk-Treasurer's office. The Human Resources Director will maintain all other information.

5.00 ATTENDANCE POLICY

Punctuality and regular attendance are essential functions of each employee's job with the City. Any tardiness or absence causes problems for fellow employees and supervisors. When an employee is absent, others must perform his/her work.

Employees are expected to report to work as scheduled, on time and prepared to start work. Employees also are expected to remain at work for their entire work schedule, except for break periods or when required to leave on authorized City business. Late arrival, early departure, and leaving City premises during work hours without permission of the employee's supervisor or department head while not on City business are grounds for discipline up to and including termination. For shift employees, the employee shall not leave his/her post until replaced by the employee for the next shift or until the supervisor relieves him/her.

In the event of an absence or tardiness, employees must provide their supervisor with an honest reason or explanation. Documentation of the reason may be required. Employees also must inform their supervisor of the expected duration of any absence. Absent extenuating circumstances, an employee must call in advance of his/her regular starting time on any day on which the employee is scheduled to work and will not report to work or will be tardy. This policy applies for each day of an employee's absence. Not calling in to report an absence from work, being absent without proper explanation or giving a false reason for absence or tardiness are all grounds for disciplinary action up to and including termination. Excessive absenteeism and excessive tardiness may be grounds for discipline up to and including termination of employment. Generally, any unpaid absence not protected by law (e.g., FMLA) will be considered excessive. Each situation of excessive absenteeism or tardiness will be evaluated on a case-by-case basis.

Any employee who, without valid reason, fails to report to work without notification to his/her supervisor for a period of three days

or more will be considered to have terminated the employment relationship.

6.00 HOURS OF WORK

6.01 WORK DAY, WEEK AND PAYROLL WEEK

The Common Council, the Board of Public Works and Safety (for the Wastewater Treatment Utility) or the Board of Parks and Recreation as appropriate, will set the regularly scheduled work hours in compliance with the FLSA. The designated hours of work for each department will be established by the department head with approval from the Mayor. The Clerk-Treasurer can designate the hours of work for the Clerk-Treasurer's staff. Generally speaking, these hours of work will be from 8:00 a.m. to 4:30 p.m. Monday through Friday. Certain offices may need to observe earlier opening hours and later closing hours in order to better serve the public. The payroll week shall be the calendar week beginning Saturday and ending Friday. The payroll period shall consist of two (2) consecutive weeks, with adjustments as needed.

6.02 BREAKS

Employees are entitled to receive two paid 15 minute breaks during each work day, one during each half of the employee's shift. These breaks are to be taken at a time not disrupting to departmental work activity as judged by the supervisor.

6.03 OVERTIME AND COMPENSATORY TIME

When operating requirements or other needs cannot be met during regular working hours, employees will be scheduled to work additional hours. When possible, advance notification of these mandatory assignments will be provided. All overtime work must receive prior authorization from the supervisor.

Compensatory time may be given as a substitute for overtime pay for exempt and non-exempt employees. Exempt and non-exempt employees who are subject to receiving compensatory time will follow the "Compensatory Time Off Agreement" attached as Appendix 1.

Non-exempt employees that are not subject to the Compensatory Time Off Agreement shall receive monetary overtime compensation at a rate of one and one-half (1-1/2) times their regular rate of pay for each hour actually worked over forty (40) hours per workweek. Any exempt employee subject to receiving compensatory time who is required to work additional hours beyond the regularly scheduled workweek, up to forty (40) hours per week, will receive compensatory time on an hour-for-hour basis. The Department in which an exempt employee works may elect to pay straight time for hours worked beyond the regularly scheduled workweek, up to and above forty (40) hours per week.

Holiday, jury duty, and military leaves are considered hours worked for the computation of overtime pay. However, the maximum hours of work credited per day cannot exceed the hours in an employee's regularly scheduled workday. Other absences, including vacation, sick leave, personal days, compensatory time, bereavement leave, or any other leave of absence will not be considered hours worked for the computation of overtime pay. (See Compensatory Time Off Agreement attached as Appendix 1)

6.04 CALL-IN

Non-exempt employees who maintain their availability to come back to work to perform emergency or needed procedures during off-duty hours at the request of a supervisor or department head will be compensated for a minimum of two (2) hours at the regular

rate of pay or for the actual time worked at one and one-half times their regular rate of pay, whichever is greater, regardless of the hours actually worked in the work week. Failure to report for duty within a reasonable time, not to exceed one hour, after being called into work by a supervisor or department head will be grounds for disciplinary action. Failure to inform the supervisor or department head of any change in phone number, address or personal data will be grounds for disciplinary action.

6.05 ON-CALL

An employee may be required by the department head or supervisor to be available on a stand-by basis, outside scheduled working hours, to respond immediately to a call back to work as required for reasons of operational necessity. An employee who is on call is required to carry a cell phone, pager or other immediate contact device, which will be provided by the City. Failure to answer a call or respond to a page within a reasonable time, not to exceed one hour, after being called into work, will be grounds for disciplinary action. Failure to inform the supervisor or department head of any change in phone number, address or personal data will be grounds for disciplinary action.

7.00 RECORD KEEPING

It is the responsibility of the department head or his/her designee to keep records of hours worked, all overtime, sick leave, vacations, compensatory time, other leave or lateness, as required by the State Board of Accounts. The Clerk-Treasurer shall prescribe all payroll and account forms for all city departments.

It is the responsibility of each employee to update his/her work and leave record on a biweekly basis and to obtain approval of his/her service record from the department head.

Supervisors and department heads must report information regarding changes in an employee's job status, job description and salary to the Human Resources Director with a copy to the Clerk-Treasurer.

8.00 EMERGENCY CLOSINGS

The Mayor, in consultation with the Police Chief and Public Works Director, will determine if emergency conditions exist to close City Hall and/or other departments within the City. Emergencies include, but are not limited to, inclement weather conditions, equipment failure, fire or other forced evacuations.

In the event of an emergency closing, some operations must continue to provide services. Department heads shall predetermine and designate the mandatory/essential operations that will remain open and designate the emergency employees to staff these operations. (e.g. maintenance personnel may be deemed as essential for the on-going operation of a department whereby administrative/clerical personnel may be deemed non-essential to the operation of a department during a closing at the discretion of the department head and depending upon the emergency.) Employees who are designated mandatory/essential will remain at work and will be paid their regular rate of pay up through forty (40) hours actually worked per work week. All non-essential employees will be released and will receive regular pay for all normally scheduled hours not worked due to the emergency closing.

Non-essential employees who have been requested by the department head to remain at work to complete a required work assignment will be compensated at the rate of one and one-half times their regular rate of pay for the time worked beyond the designated close time.

Employees who do not report for work because of weather-related conditions when City Hall and/or their Department is open and City services are available to the public, will be required to use a personal day, vacation leave, or compensatory time.

9.00 APPROPRIATE ATTIRE

The City requires employees to always appear for work in attire that is "professional" and suitable for the work setting. This may vary from one department to another depending on the nature of the work, exposure to the general public, customers, and the extent to which the employee works outdoors.

Personal appearance and hygiene play an important role in projecting a professional image in the community and to the citizens we serve. An employee's appearance should always reflect what is appropriate for the job, work setting, and personal safety.

Employees should use good judgment and common sense when dressing for work. Unacceptable attire includes, but is not limited to: sweatpants or workout attire; sheer clothing or clothing that is excessively revealing, distracting or provocative; t-shirts with foul or obscene words or graphics; clothing that is torn.

If there is doubt as to whether a piece of clothing is appropriate, do not wear it in the workplace. An employee observed wearing unacceptable attire may be sent home to change with a dock in pay.

10.00 GIFTS AND GRATUITIES

No employee of the City shall solicit or accept gifts, gratuities, or special favors from outside vendors, contractors or companies with whom they do business on behalf of the City. An occasional, nominal business courtesy, such as lunch, dinner, or promotional item provided by a vendor, contractor or outside company, is acceptable under this policy.

11.00 ACCESS TO PUBLIC RECORDS

Employees of the City shall make a reasonable effort to satisfy requests for public records as per Ind. Code 5-14-3. Any employee unable to do so, or with questions regarding responding to a request for public records access, is responsible for requesting assistance from his/her supervisor.

12.00 OUTSIDE EMPLOYMENT

Any employee who is also employed by an entity other than the City, is responsible for notifying his/her supervisor of this outside employment. Any conflict or potential conflict (such as the outside employer is subject to City regulation or enforcement or is a City vendor) should be discussed with the department head, Clerk-Treasurer and/or Mayor as appropriate, who will determine whether a conflict exists. If it is determined that a conflict exists between the employment with the City and outside employment, the employee will be required to choose which employment to maintain and which to discontinue. If the employee does not choose within two weeks of the decision that a conflict exists, the employee will be terminated from his/her position with the City. Record of an employee's outside employment and the resolution of any conflict or potential conflict shall be maintained in the employee's file in his/her department and by the Human Resources Director.

13.00 DAMAGE TO PERSONAL PROPERTY

The City shall reimburse any employee whose personal property (glasses, dentures, etc.) has been destroyed in the line of duty without negligence or fault by the employee. All claims must be substantiated by the department head and documented with a

corresponding invoice. The Board of Public Works and Safety or Board of Parks and Recreation must approve these claims.

14.00 ELECTRONIC MAIL AND INTERNET USAGE

The purpose of this policy is to promote the productive use of internet and electronic mail resources while preventing the abuse and misuse that can negatively impact productivity and expose the City of West Lafayette to potential liabilities.

The use of electronic information is a privilege and requires responsible and ethical use. All employees shall use common sense and sound judgment when utilizing the e-mail or internet system just as they would if they were writing memoranda or letters. All e-mails should be courteous and professional. Examples of unacceptable use of the internet and e-mail include but are not limited to: reviewing non-business related sites or pornographic sites; downloading or copying software from the internet; e-mailing chain letters and other types of mass mailings; and, transmitting messages or materials that violate the City's policy against harassment and discrimination or for transmitting otherwise inappropriate messages or materials that contain defamatory, abusive, harassing, obscene, pornographic, profane, sexually oriented, threatening, racially offensive or otherwise biased, discriminatory, or illegal material, whether self-generated or involuntarily received from inside or outside the City.

Limited personal use of e-mail and the internet should, with infrequent exceptions, occur on the user's own time and shall not interfere with the employee's job responsibilities. Personal use of e-mail and the internet must be consistent with the City's policy on Electronic Mail and Internet Usage.

The computer technology and e-mail systems are the property of the City of West Lafayette and are subject to monitoring. All data entered, created, received, stored or transmitted via City systems are considered City Property. Users should be aware that e-mail messages cannot be considered private and may be subject to inspection by outside third parties and the employee's supervisor, department head or the Human Resources Director.

The use of a password to access the internet or e-mail system does not assure the confidentiality of any message stored in, created, received, or sent from the City e-mail system. Use of passwords or other security measures does not in any way diminish the City's rights to access materials on its system, or create any privacy rights of employees in the messages and files on the system. Any password used by a City employee must be provided to his/her supervisor or department head, as an employee's file may need to be accessed in an employee's absence.

E-mails to and from the City's legal counsel must be treated with special care to protect attorney/client privilege. They should not be forwarded to others (inside or outside the City) without the attorney's prior direction.

Any employee who abuses the privilege of using the City's e-mail system or internet access will be subject to appropriate disciplinary action up to and including termination.

15.00 CELLULAR PHONE USAGE

While at work, employees are expected to exercise the same discretion in using personal cellular phones as is expected for the use of work phones. Personal calls during the works hours, regardless of the phone used, can interfere with employee productivity, safety and be distracting to others. Employees should keep personal calls to a minimum.

15.01 DISTRACTED DRIVING

Studies have demonstrated how the use of cell phones while driving pose a significant safety risk to motorists, their passengers

and others on the road. Employees whose job responsibilities include driving or equipment operation are expected to refrain from using their cellular device (including hands free) while driving or operating equipment. If acceptance of a call is unavoidable and pulling over is not an option, employees are expected to keep the call short and use hands free options if available. Safety must come before all other concerns.

CDL holders are held to an even higher standard and, regardless of the circumstances, may not use cell phones or any other mobile electronic devices while operating a motor vehicle. This includes, but is not limited to, answering or making phone calls, engaging in phone conversations, reading or responding to emails and text messages, adjusting a Global Positioning System (GPS) and accessing the Internet.

Texting and emailing while driving is never acceptable. State law prohibits the use of a telecommunications device to transmit a text message or electronic mail message while operating a moving motor vehicle. All employees must pull over to a safe place and stop the vehicle before sending or replying to a text or email.

Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions. Violations of this policy may result in disciplinary action, up to and including termination.

16.00 PAY SCHEDULE

Payroll checks shall be computed on the basis of pay periods as specified in the applicable ordinance or resolution fixing the salary and shall have a statement attached showing earnings and amounts deducted. All mandatory federal, state and local taxes; social security deductions; and, the employee's portion of retirement and health insurance benefits for the employee and dependents will be withheld. (See Appendix 6 for Permissible Deductions for Salaried Employees.)

17.00 BENEFITS

17.01 INSURANCE COVERAGE

The City of West Lafayette provides health benefits, long-term disability and life insurance coverage to its regular full-time employees. These benefits and any costs to the employee may vary from time to time because of availability or affordability. Selection of the coverage and the amount of any payment by an employee will be set from time-to-time by the Board of Public Works.

17.02 LONG-TERM DISABILITY

Active full time employees are eligible to participate in the City's Long-Term Disability ("LTD") Plan once they have completed six (6) full months of continuous employment. If an employee becomes unable to perform some or all of the material and substantial duties of his/her position due to sickness or injury that lasts longer than 180 consecutive days, he/she may be entitled to benefits under the City's LTD Plan. Certificates of coverage are provided to eligible employees and are available from the Human Resources Director. The Plan Administrator, not the City of West Lafayette, has the authority to approve or deny claims for long-term disability benefits, based on medical documentation.

17.03 PUBLIC EMPLOYEE'S RETIREMENT FUND ("PERF")

All eligible employees of the City who are covered by this Policy are required to participate and be enrolled in the Indiana Public Employee's Retirement Fund ("PERF"). The terms, conditions, benefits, eligibility requirements and contribution rates for PERF are defined by statute and/or the Fund. Information concerning

PERF is available during an employee's orientation and through the Human Resources Director.

17.04 HOLIDAYS, VACATION, COMPENSATORY TIME, SICK LEAVE, PERSONAL TIME, UNPAID LEAVES.

Other benefits are available and specified by category. Regular part-time employees are provided accrued leave benefits on a *pro rata* basis according to their regularly scheduled work week.

17.05 UNIFORM/CLOTHING ALLOWANCE

A uniform or clothing allowance is granted to qualified personnel pursuant to the annual City budget and payable in two (2) installments (April and October) subject to the availability of funds. This allowance is to purchase, repair and maintain uniforms or clothing. Accrual is calculated on a six month basis.

The City may purchase uniforms for qualified personnel that consists of apparel with City and departmental identification if the following conditions are met: the apparel is required to be worn during the work day for a work-related purpose, is prohibited from being worn outside of work except *de minimis* (to and from home), shall not be worn by anyone else, and is to be returned upon termination of employment. A violation of the uniform policy may result in disciplinary action and will also result in the uniform being reported as a taxable fringe benefit according to Internal Revenue Service guidelines.

18.00 VACATION

18.01 ELIGIBILITY

Vacation with pay is available to regular full-time and regular part-time employees. Full-time and part-time employees are eligible to use vacation after completing one full year of continuous service. Vacation is awarded on a calendar-year basis. At the discretion of the Mayor, department heads may be granted vacation before completion of a year's continuous service. Seasonal and Temporary employees are not eligible for paid vacation.

18.02 AMOUNT OF VACATION

Your vacation allotment during the calendar year will be in accordance with the following schedule:

<u>LENGTH OF SERVICE</u>	<u>VACATION DAYS PER YEAR</u>
--------------------------	-------------------------------

If employee is hired by:

March 1	10 days
April 1	9 days
May 1	8 days
June 1	7 days
July 1	6 days
August 1	5 days
September 1	4 days
October 1	3 days
November 1	2 days
December 1	1 day
2 nd calendar year of cont. service	10 days
5 th calendar year of cont. service	15 days
12 th calendar year of cont. service	20 days

For example, an employee who was hired prior to May would not be eligible to take any vacation until his/her anniversary date the following year (one full year of continuous employment). That employee would then have 8 days of vacation to use from his/her anniversary date through the end of the remaining calendar year.

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Regular part-time employees, who are scheduled to work 20 hours or more per week, will be awarded vacation time on a pro rata basis.

18.03 CARRY-OVER PROVISION

An employee may elect to carry over up to five days of accrued vacation into the following calendar year. Excess days will be forfeited at the end of the calendar year.

18.04 REQUESTS FOR VACATION

Vacation leave will be granted at a time which is mutually acceptable to the employee, his/her supervisor and the department head, consistent with the demands of the department and should be requested of the department head as far in advance as possible. The department head has the discretionary authority to approve, deny and cancel any vacation leave request for good cause. Each department head may set criteria for vacation scheduling that take into account specific conditions of his/her department. Vacation time may be taken in 30 minute increments.

18.05 HOLIDAYS DURING VACATION

Paid holidays and official holidays occurring during an employee's vacation period will not be counted against the vacation leave.

18.06 RECORDING VACATION

The department head or his/her designee is responsible for maintaining a permanent record of vacation leave for each regular employee, as required by the State Board of Accounts.

18.07 VACATION LEAVE UPON TERMINATION

When an employee terminates, the department head will report the actual number of hours of vacation leave accrued, as supported by available service records. Except as otherwise stated, accrued vacation leave which is unused at the time of termination will be granted in the form of compensation for that time. The employee's termination date may not be extended to include unused vacation time for the purpose of extending benefits. The employee's effective termination date shall always be the last day worked. If employment is terminated during the introductory period, accrued vacation leave will be paid out at the time of separation.

If an employee fails to give at least fourteen (14) days written notice before resigning from employment, he/she will not be entitled to unused, accrued vacation upon termination.

18.08 INTERRUPTION OF SERVICE

An employee who has worked a minimum of three (3) consecutive years who has an interruption in employment of one year or less shall be credited with prior full-time service after completing one year's additional service. After an interruption of more than one year, a returning employee shall be treated as a new employee for purposes of calculating vacation time earned and shall not receive credit for prior service.

19.00 PERSONAL LEAVE

19.01 POLICY

The City of West Lafayette provides personal leave to employees who must be absent from normal duties to take care of personal business. Personal leave will not be considered hours worked for the computation of overtime pay or earning compensatory time.

19.02 MAXIMUM PERSONAL DAYS GRANTED

After the Introductory Period, a regular full-time employee hired prior to July 1 shall be granted two regularly scheduled work days of personal leave in a calendar year. Regular part-time employees hired prior to July 1 shall be entitled to 2 days personal leave on a

pro rata basis. During a non-election year only, an employee shall be granted one additional personal day, or a total of three personal days in a calendar year. Personal leave cannot be carried over from one year to the next. Upon termination an employee will **not** be compensated for unused personal leave. (For Patrol Dispatchers see 20.02 for explanation of personal days.)

19.03 REQUESTING PERSONAL LEAVE

An employee should request personal leave from his/her supervisor or department head 48 hours in advance of the period to be absent from normal duties unless the need for personal leave is not foreseeable or it is otherwise not possible to make the request in advance. An employee may use personal leave in increments less than one regularly scheduled workday, subject to approval by his/her supervisor and department head.

19.04 INTRODUCTORY, SEASONAL AND TEMPORARY EMPLOYEES

Introductory, Seasonal and Temporary employees are not eligible for personal leave.

19.05 RECORDING PERSONAL LEAVE

The department head or his/her designee is responsible for maintaining a permanent record of absences due to personal leave for each employee with a copy of all documents to go into the employee's personnel file.

19.06 EXTENDED LEAVE WITHOUT PAY

The Board or Public Works and Safety, upon the request of a department head, may grant an extended leave without pay and/or fringe benefits to an employee. Extended leave shall total no more than 60 working days, excluding leave taken under the Family and Medical Leave Act. The department head or his/her designee is responsible for maintaining a permanent record of extended leave for each employee. An employee will not be granted extended leave under this section until he/she has exhausted any unused vacation leave, personal leave and compensatory time.

20.00 HOLIDAYS WITH PAY

20.01 POLICY

The City of West Lafayette designates certain days to be observed as paid holidays in each calendar year for all regular full and part-time employees. The holiday pay will be based upon the normal scheduled work day. Regular part-time employees shall be entitled to holiday leave on a *pro rata* basis. Holidays will be considered hours worked for the computation of overtime pay or earning compensatory time.

20.02 DESIGNATED HOLIDAYS

The days of the official holidays for the City of West Lafayette for the succeeding calendar year will be designated and presented by memorandum from the Mayor by December 20th of each year. The Street and Sanitation Department may schedule other days to be observed in lieu of such holidays in order to maintain services. Patrol Dispatchers are entitled to one hundred (100) hours of personal time per calendar year in lieu of the City designated holidays. During the first calendar year of a patrol dispatcher's employment, personal days will be prorated by multiplying .24 by the number of calendar days remaining in the year. Requests for personal days must be submitted to his/her Head Dispatcher.

The Mayor, at his/her discretion, will designate which days departments and offices of the City of West Lafayette will be open and closed.

Any employee with an unexcused absence either the day before or the day after a designated holiday will not receive holiday pay.

20.03 WORKING ON A DESIGNATED HOLIDAY

Wastewater Treatment Utility operators whose normal day off falls upon a designated holiday of the City shall have a regularly scheduled work day off with pay as assigned by the immediate supervisor. Parks and Recreation employees who work at a facility required to remain open on a designated City holiday due to business necessity will work the scheduled holiday at their regular rate of pay for the hours worked. A substitute day off will be assigned by the immediate supervisor equal to the hours worked on the holiday. All other employees (other than a police dispatcher) who work a designated holiday will be compensated in accordance with the salary ordinance regardless of hours actually worked in the scheduled work week.

20.04 NON-PAID HOLIDAYS

Seasonal and Temporary employees are not eligible for paid holidays.

21.00 BEREAVEMENT LEAVE

21.01 POLICY

The City of West Lafayette provides its regular full-time employees with bereavement leave to attend the funeral of a family member and to handle personal affairs.

1. Employees will be allowed up to three days of paid leave for the death of a member of the immediate family or household. Immediate family or household includes the employee's spouse, sibling, children, parent, step-mother/father, step-children, grandparent, spouse's mother/father, step-mother/father, spouse's siblings, or a step- brother/sister, and significant others.

2. Employees will be allowed one day of paid leave for the death of an aunt/uncle or a spouse's grandparent.

3. Employees will be allowed one-half day of paid leave to attend a funeral service for a co-worker in the same department.

Additional leave may be granted at the discretion of the department head. Any such additional leave shall either be deducted from vacation accrual or personal time. Bereavement leave will not be considered hours worked for the computation of overtime pay or earning compensatory time.

21.02 RECORDING BEREAVEMENT LEAVE

Each department is responsible for maintaining a permanent record of absences due to bereavement leave for each employee, as required by the State Board of Accounts. The employee may be asked to provide documentation of the death, such as a newspaper report.

22.00 PAID SICK LEAVE

22.01 POLICY

The City of West Lafayette provides sick leave to its regular employees and allows for the accrual of unused sick leave, within certain limitations. Annual sick leave is a privilege granted to an employee as a protection, IN CASE OF NEED, should he/she become ill and not able to work, should an illness strike a member of the immediate family or for medical appointments of the employee or a spouse or child of the employee. Sick leave will not be considered hours worked for the computation of overtime pay or earning compensatory time. Paid sick leave may be used in one-quarter (1/4) hour increments.

22.02 REGULAR EMPLOYEES

Annual sick leave will accrue at the rate of .0385 hours per regularly scheduled work hours, including all paid leave, for regular full-time employees, but not for hours worked in excess of regularly scheduled work hours. Ninety days is the maximum sick

leave which can be accumulated by an employee during the course of his/her employment. Sick leave will accrue on a *pro rata* basis for regular part-time employees based on the number of hours scheduled in his/her work week.

22.03 DOCTOR'S CERTIFICATION

Upon the request of a supervisor or department head, an employee may be required to present a doctor's certificate, signed by the attending physician, to be entitled to paid sick leave.

22.04 SEASONAL AND TEMPORARY EMPLOYEES

Seasonal and Temporary employees are not eligible for paid sick leave.

22.05 SICK LEAVE UPON TERMINATION

Upon termination of employment, employees will be paid for unused sick leave, up to a maximum of 45 full days. Employees hired before May, 1986 who have up to 60 days of accrued sick leave upon termination of employment will be compensated in full for the first 30 days of accrued sick leave, and will be compensated for one half of the next 30 days, for a total of 45 full days of compensation. Employees hired after May, 1986 who have up to 90 days of accrued sick leave upon termination of employment will be compensated for one half of the balance, or a total of 45 full days of compensation.

A statement of unused sick leave, supported by available service records, shall be prepared and signed by the department head. A day shall mean a regularly scheduled work day for that employee.

If an employee fails to give at least fourteen (14) days written notice before resigning from employment, he/she will not be entitled to unused, accrued sick leave upon termination.

23.00 COURT AND JURY LEAVE

The City of West Lafayette grants employees leave to serve on a jury in any state, federal, or local court without loss of pay. An employee should notify his/her supervisor or department head upon receipt of a summons. In order to be entitled to jury duty leave, an employee must refund any jury duty compensation from the court to the City. While on jury duty leave, the employee will retain all benefits and continue to accrue sick leave and vacation. The duration of the jury duty will be considered hours worked for the computation of overtime pay and earning compensatory time. However, the maximum hours of work credited per day cannot exceed the hours in the employee's regularly scheduled workday. An employee appearing in court on his/her own behalf, as a subpoenaed witness, or as a party in a law suit, is required to use a paid personal day, vacation leave or must take the time off as unpaid leave.

24.00 FAMILY AND MEDICAL LEAVE ACT

24.01 POLICY

The City of West Lafayette provides up to twelve weeks of leave in accordance with the Family and Medical Leave Act ("FMLA") to all eligible employees. The City of West Lafayette utilizes a rolling twelve month period for the determination of eligibility for FMLA leave.

The Human Resources Director is responsible for administering the City of West Lafayette's FMLA policy. Any questions about the application of the FMLA to an employee's circumstances or any other questions about the FMLA or this policy should be directed to the Human Resources Director.

24.02 ELIGIBLE EMPLOYEES

An employee is eligible for FMLA leave if he/she:

A. has been employed by the City for at least 12 months, and

B. has been employed by the City for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave.

Employees who do not satisfy these requirements are not eligible for FMLA leave, but may be eligible for other leave in accordance with the City of West Lafayette policy.

24.03 REQUIREMENTS

An employee may request a total of 12 weeks (60 work days) of leave during a 12 month period for the following reasons:

- A. because of the birth of a child of the employee and in order to care for such child;
- B. because of the placement of a child with the employee for adoption or foster care and to care for such child;
- C. in order to care for a husband or wife, or a son or daughter, or parent of an employee who has a serious health condition, or
- D. because of a serious health condition that makes the employee unable to perform one or more of the essential functions of the employee's position.

"Serious health condition" is a term that is specifically defined in the FMLA. The Human Resources Director can provide additional information regarding this term.

24.04 PAID AND UNPAID LEAVE

An employee is required to exhaust all accrued paid vacation, personal and sick leave for any part of the 12 week period of FMLA leave, unless the FMLA leave is due to a work-related injury/illness. If an employee is on FMLA leave, the unused accrued leave will remain intact but not accrue during that leave.

After the exhaustion of all accrued paid vacation, personal and sick leave, the remaining time in the FMLA leave period shall be unpaid.

An employee may request to use accrued compensatory time for an FMLA reason. If the employee is paid during the absence from the employee's accrued compensatory time account, it may not be counted against the employee's FMLA leave entitlement.

24.05 REQUEST FOR FMLA LEAVE

If leave is foreseeable, i.e. expected birth or placement of a child, planned medical treatment for a serious health condition of the employee or the employee's spouse, child or parent, the employee must notify the Human Resources Director of the duration of the leave and the date leave will begin at least 30 days in advance of leave commencing. When the need for leave is not foreseeable, or when it is not possible to give 30 days' notice, an employee must give notice as soon as practicable, or within no more than two working days of learning of the need for leave.

In the case of a worker's compensation claim that is also covered by FMLA leave, the Director of Human Resources will notify the employee in writing the effective starting date of the leave.

24.06 FAMILY AND MEDICAL LEAVE TAKEN INTERMITTENTLY OR ON A REDUCED LEAVE BASIS

An employee may take FMLA leave on an intermittent or a reduced leave basis when medically necessary for medical treatment for or recovery from a serious health condition or periods of incapacity due to an employee's or an employee's spouse, child, or parent's serious health condition. Such leave must be supported by a certification from the employee's or the employee's spouse, child, or parent's health care provider stating that the medical need can best be accommodated through an intermittent or reduced leave schedule.

24.07 TIME LIMIT

The maximum amount of FMLA leave an employee may take is 12 weeks (60 work days), including all accrued paid vacation, personal and sick leave, within any 12 month period.

24.08 CERTIFICATION

When the need for leave is foreseeable, the employee should provide the Human Resources Director with a certification supporting the need for FMLA leave from his/her health care provider or from the spouse's, child or parent's health care provider before the leave begins. If this is not possible, the employee must provide the certification within 15 calendar days after the City's request for such certification. The certification must be on the form provided by the City and can be obtained from the Human Resources Director. If the City has reason to doubt the validity of the certification, the employee may be required to obtain a second opinion of a health care provider, designated or approved by the City of West Lafayette, and at the expense of the City of West Lafayette. If the opinion of a third healthcare provider is required, it will be at the expense of the City and the City and the employee must jointly approve the health care provider.

Except as otherwise provided by the Family and Medical Leave Act and accompanying regulations, during a period of FMLA leave, the employee is required to provide to Human Resources subsequent re-certifications every 30 days for the duration of leave.

Upon return from FMLA leave for an employee's serious health condition, the employee shall be required to supply Human Resources with certification, at the employee's expense, from his/her health care provider that he/she is able to resume work.

24.09 MAINTENANCE OF BENEFITS

During any FMLA leave, the City of West Lafayette shall maintain all group health plan benefits the employee was entitled to at the time the leave commenced. However, the City of West Lafayette will only maintain the portion of the employee's group health plan benefits that it was paying at the time the employee's FMLA leave commenced. It is the responsibility of the employee to pay his/her portion of his/her health plan benefits during the period of FMLA leave in a timely manner as specified by the Clerk Treasurer's Office.

Employees do not accrue additional seniority or employment benefits during unpaid FMLA leave. An employee returning from FMLA leave is entitled to no greater right, benefit or position than the employee would have been entitled to had he/she not taken the period of FMLA leave.

The City of West Lafayette may recover the premiums paid for maintaining group health plan benefits for the employee during the period of FMLA leave if the employee fails to return because of any reason or circumstance other than the continuation of, reoccurrence or onset of a serious health condition that would entitle the employee to a period of FMLA leave or any other circumstance that is beyond the control of the employee.

24.10 RESTORATION

Subject to 29 C.F.R. § 825.216 and provisions of this policy. Upon return from FMLA leave, an employee is entitled to be restored to the position of employment he/she held at the time the period of leave commenced or to be restored to an equivalent position, with equivalent benefits, pay and other terms and conditions of employment.

24.11 RECORDING OF LEAVE UNDER THE FAMILY AND MEDICAL LEAVE ACT

The Human Resources Director is responsible for maintaining a permanent record of an employee's FMLA leave.

24.12 CONSEQUENCES OF EMPLOYEE'S FAILURE TO MEET HIS/HER OBLIGATIONS UNDER THE FMLA

An employee who fails to meet his/her obligations to the City under the FMLA as described above may be denied the benefits and protections of the FMLA in accordance with applicable law.

24.13 UNLAWFUL ACTS OF EMPLOYERS

The FMLA makes it unlawful for any employer to:

- (a) interfere with, restrain, or deny the exercise of any right provided under FMLA;
- (b) discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

The FMLA does not affect any federal or state law prohibiting discrimination.

24.14 FMLA – MILITARY FAMILY LEAVE ENTITLEMENTS

The National Defense Authorization Act of 2010 (NDAA 2010) was signed into law on October 28, 2009. This new law includes an expansion of the recently-enacted exigency and caregiver leave provisions for military families under the Family and Medical Leave Act of 1993.

24.15 MILITARY CAREGIVER LEAVE

A. An employee is eligible for military caregiver leave if he/she is the service member's spouse, child, parent, or nearest blood relative.

B. A "Covered Service Member" is a current member of the Armed Forces, including the National Guard, or Reserves.

C. An eligible employee is limited to a **combined** total of up to 26 weeks of unpaid leave in a 12 month period.

24.16 QUALIFYING EXIGENCY LEAVE

A. An employee is eligible for exigency leave if he/she has a spouse, son, daughter, or parent on active duty, or has been notified of an impending call or order to active duty, in support of a contingency operation.

B. Qualifying exigency leave is available to a family member of a military member in the National Guard or Reserves; it only extends to family members of military members in the Regular Armed Forces if deployed on active duty in a foreign country.

C. An eligible employee may take up to a total of 12 weeks of unpaid leave.

D. Qualifying exigencies include: short-notice deployment (a week or less in notice of deployment); military events and related activities; urgent child care and related activities; financial and legal arrangements; counseling; rest and recuperation; post-deployment activities; and any other event that the employee and the employer agree is a qualifying exigency.

24.17 NOTICE REQUIREMENTS

A. Employees seeking to use military caregiver leave must provide 30 days advance notice of the need to take FMLA leave for a planned medical treatment for a serious injury or illness of a covered service member. If 30 days advance notice is not practicable, then he/she must provide notice as soon as practicable – generally, either the same or next business day.

B. An employee must provide notice of the need for the foreseeable leave due to a qualifying exigency as soon as practicable.

24.18 CERTIFICATION REQUIREMENTS

A. Leave to care for a covered service member must be supported by a certification completed by an authorized health care provider or by a copy of an Invitational Trade Order (ITO) or Invitational Travel Authorization (ITA) issued to any member of the covered service member's family.

B. Leave for a qualifying exigency must be supported by a copy of the covered military member's active duty orders and certification providing the appropriate facts related to the particular qualifying exigency for which leave is sought, including contact information if the leave involves meeting with a third party.

25.00 MILITARY FAMILY LEAVE

Effective July 1, 2007, Governor Daniels signed into law the Military Family Leave Act. Under this Act, employees may take up to 10 days of unpaid leave per year during one or more of the following periods:

- A. during the 30-days before active duty orders are in effect,
- B. during a period in which the person ordered to active duty is on leave while active duty orders are in effect,
- C. during the 30 days after the active duty orders are terminated.

25.01 ELIGIBLE EMPLOYEES

An employee is eligible for military family leave if he/she:

- A. is the spouse, parent, grandparent, or sibling of the service person, as defined in Ind. Code Section 22-2-13, and
- B. has been employed by the City for at least 12 months, and
- C. has been employed by the City for at least 1,500 hours of service during the 12-month period immediately preceding the commencement of the leave.

25.02 REQUEST FOR LEAVE

Employees must give written notice of a request for leave, including a copy of the active duty order if available, to Human Resources of a request for leave at least 30 days prior to the requested leave, unless the service person's active duty orders are issued less than 30 days prior to the requested leave. If an employee fails to provide verification, the city may consider the employee's absence unexcused.

25.03 MAINTENANCE OF BENEFITS

During any family military leave, the City of West Lafayette shall maintain all group health plan benefits the employee was entitled to at the time the leave commenced. However, the City of West Lafayette will only maintain the portion of the employee's group health plan benefits that it was paying at the time the employee's family military leave commenced. It is the responsibility of the employee to pay his/her portion of his/her health plan benefits during the period of family military leave in a timely manner as specified by the Clerk Treasurer's Office.

25.04 RESTORATION

An employee returning from military family leave will be restored to the same or equivalent position of employment he/she held at the time the period of leave commenced unless the reason for not restoring the employee to the same or equivalent position is unrelated to his/her use of military family leave.

25.05 PAID AND UNPAID LEAVE

An employee may choose to substitute accrued vacation leave or compensatory time for any or all of the unpaid family military leave.

26.00 MILITARY LEAVE

The City of West Lafayette provides military leave to any City employee who is a member of the Indiana National Guard, a

member of a reserve component or branch of the United States Military, or a member of the retired personnel of the naval, air or ground forces of the United States in compliance with the Uniformed Services Employment and Re-employment Rights Act and the Indiana Code. All employees requiring military leave shall give advance notice as soon as practicable to their supervisor of when they shall require military leave. In accordance with I.C. § 10-16-7-5, a City employee is entitled to receive a leave of absence in addition to regular vacation period without loss of time or pay for the time the employee is on training duties of the state of Indiana under the order of the governor as commander in chief; or, for the time a City employee is a member of any reserve component under the order of the reserve component authority. This leave shall be paid military leave for any consecutive or nonconsecutive period that does not exceed a total of fifteen (15) days in any calendar year. Paid military leave pursuant to I.C. § 10-16-7-5 will be considered hours worked for the computation of overtime pay and earning compensatory time. However, the maximum hours of work credited per day cannot exceed the hours in the employee's regularly scheduled workday. A City employee who is a member of the Indiana National Guard is also entitled to military leave of absence in addition to the employee's regular vacation period for the total number of days that the employee is on state active duty in accordance with I.C. § 10-16-7-7. Military leave pursuant to I.C. § 10-16-7-7 shall be unpaid; however, an employee may use his/her personal leave or vacation on those days when military leave is required. Eligibility for reinstatement after completion of military duty or training is determined in accordance with applicable federal and state laws.

27.00 TOBACCO FREE WORKPLACE POLICY

Effective July 1, 2007, in keeping with Ordinance No. 28-05 and with the City of West Lafayette's intent to provide a safe and healthful work environment for its employees, customers, and visitors, smoking is prohibited in any City owned or leased building.

27.01 POLICY

Smoking shall not be permitted in any indoor work area. This includes common work areas, conference and meeting rooms, private offices, elevators, hallways, employee lounges, stairs, restrooms, shops, warehouses, and vehicles used for business. This policy applies to all employees, suppliers, visitors, and customers.

Employees who need to smoke at work may do so during their scheduled 15-minute break period. Each building owned or leased by the City shall establish a smoking area in accordance with this policy and utilize the following guideline:

- Smoking shall occur at a distance not closer than 15 feet from a ventilation system or a public entrance to any area where smoking is prohibited to insure that tobacco smoke does not enter the area through entrances, windows, ventilation systems or any other means.

27.02 SUPPORT FOR SMOKERS

Smokers who want to quit may contact the Human Resources Director for information on smoking cessation programs and other available resources.

27.03 COMPLIANCE

Compliance with the smoke-free workplace policy is mandatory for all employees and persons visiting the City, with no exceptions. Employees who violate this policy are subject to disciplinary action.

28.00 SAFETY POLICY

Supervisors and employees share responsibility for creating and maintaining a safe workplace. Maintaining a safe workplace requires the continuous cooperation of all employees. Safety must be a primary concern in every aspect of planning and performing all City activities. The following are examples, but not an exclusive list, of violations of this policy:

- failure to wear required personal protective equipment, including but not limited to steel-toed boots if applicable;
- failure to use safety lights and other safety devices on City equipment or vehicles or on vehicles being operated while performing City business; and,
- failure to keep work area clean and clear of litter or objects or material that may be hazardous.

Please report these or any other safety concerns to your supervisor or department head as soon as you are aware of them.

29.00 WORKER'S COMPENSATION

29.01 POLICY

The City provides coverage according to the Indiana Worker's Compensation Act for employees who sustain a work-related injury or illness while performing his/her work as a City employee.

29.02 REPORTING PROCEDURE

In the case of an injury, *no matter how slight*, the injured employee or another employee must immediately notify the supervisor and the Human Resources Director. If the injury is life threatening, a supervisor or an employee should call 911 immediately. In the case of a less severe injury, the employee must be transported to the City's designated provider as directed by the injured employee's supervisor, department head, or the Human Resources Director. This procedure is discussed in orientation. It is the responsibility of each employee to understand this procedure. More details on this procedure are available in Human Resources and within individual departments. The City reserves the right to require an employee involved in an accident at work or during work hours or in a City vehicle to submit to drug and alcohol testing as permitted by law.

30.00 USE OF CITY-OWNED VEHICLES

30.01 POLICY

A. Use of City-owned vehicles is restricted to City employees carrying out the business of the City. Employees must use assigned City vehicles for the purpose(s) authorized and must not permit unauthorized passengers.

B. The Board of Public Works and Safety shall approve the Take Home Vehicle Policy effective January 1 of each year in compliance with the Internal Revenue Code, subject to change at the discretion of the Board of Public Works and Safety.

C. Vehicles which are not designated for commuting status shall be kept on City premises during non-business hours and shall not be used for personal purposes.

D. Employees using a City vehicle will be subject to periodic driving record checks by the Bureau of Motor Vehicles at least annually. An employee convicted of a moving violation, an alcohol or drug related offense, or whose license is expired, suspended, or revoked and/or who is unable to obtain required endorsements must notify his/her department head immediately. The City's property and casualty insurer may determine, based on an employee's driving record, that the employee will no longer be covered under the City's insurance policy. If a non-CDL employee does not meet the City's insurer's standards, he/she may temporarily be placed in a non-driving capacity or may be

terminated depending on the employee's position. A CDL driver may be subject to termination if he/she does not meet the City's insurer's standards. If having a driver's license is part of an employee's job description, and the employee's driver's license has not been reinstated within thirty (30) days, then the employee is subject to termination.

E. Damages or accidents involving city vehicles and equipment should be reported to the department head or supervisor immediately.

30.02 COMMERCIAL DRIVER'S LICENSE

Employees required to have a Commercial Driver's License (CDL) must comply with all Department of Transportation drug and alcohol testing procedures and the City's controlled substances policy for CDL drivers. Employees are responsible for keeping their CDL current. Loss of a CDL may result in termination of employment if one of the employee's primary job functions is driving a city-owned vehicle. If one of an employee's primary job functions is driving a vehicle that requires a CDL, and the CDL is suspended for a period not to exceed thirty days, an employee will be suspended from employment for the length of the CDL suspension. The employee may use accrued personal leave or vacation, but the remainder of the thirty day period is unpaid. Loss of a CDL may result in termination of employment if one of the employee's primary job functions is driving a vehicle that requires a CDL and the license suspension is for more than thirty days, or regardless of the period of the suspension, if the CDL is suspended for a reason that constitutes a violation of City policy.

31.00 TRAVEL

City employees may be reimbursed for actual miles traveled in their own vehicles on official business at a rate per mile as fixed by the Board of Public Works and Safety. Reimbursed mileage shall not include travel to and from the employee's home and the governmental office in which he/she works.

When traveling outside the county on official business, officers and employees may be reimbursed for meals, lodging and other necessary traveling expenses. The claim for reimbursement must be itemized and supported by receipts as required by the State Board of Accounts.

32.00 GRIEVANCE PROCEDURE

32.01 POLICY

The City of West Lafayette strives to provide prompt consideration and equitable resolution of employee grievances. It is the desire of the City of West Lafayette to resolve grievances informally whenever practicable. Both supervisors and employees are expected to make a good faith effort to resolve each situation as it arises.

Terminated employees are not eligible for the grievance procedure unless the grievance falls under EEOC, ADA or FMLA. If you believe that you have been terminated due to harassment and discrimination based on sex (with or without sexual conduct) race, color, religion, national origin, ancestry, age, handicap, disability, sexual orientation or protected activity (such as, opposition to prohibited discrimination or participation in the statutory complaint process) or for exercising a right under the FMLA, please refer to Appendix 3.

32.02 EQUAL EMPLOYMENT OPPORTUNITY, AMERICANS WITH DISABILITIES ACT AND FAMILY MEDICAL LEAVE ACT GRIEVANCES

Please refer to Appendix 3, the City's comprehensive Policy against Harassment and Discrimination and Complaint Procedure.

32.03 PROCEDURE

A grievance should be relayed by an employee to his/her immediate supervisor, in writing, within the working hours of the day that the event causing the grievance occurred. The supervisor will report the grievance to the department head and the Human Resources Director and will then attempt to resolve the grievance as soon as possible and will render his/her decision either orally or in writing to the aggrieved within twenty-four (24) hours.

Appeal to the department head: a grievance not resolved by the supervisor must be presented to the department head.

If the aggrieved employee presents the grievance to the department head, it must be in writing, signed and dated by the aggrieved and presented to the department head within two (2) working days of the decision rendered by the supervisor.

The department head will contact the Human Resources Director and will review the grievance and render his/her written decision to the aggrieved within three (3) working days.

Appeal to the Board of Public Works and Safety or the Board of Parks and Recreation: a grievance not resolved by the supervisor or department head must be written and submitted to the president of the appropriate board by the aggrieved. Grievances originating from the Clerk-Treasurer's Office shall be appealed to the City Council.

A. The written grievance must be signed and dated by the aggrieved and submitted to the appropriate board within two (2) working days of the decision rendered by the department head. A copy of the written grievance shall be delivered to the Human Resources Director.

B. The appropriate board shall review the grievance and render a written decision to the aggrieved within three (3) working days of the second regularly scheduled meeting of the appropriate board, following the submission of the grievance.

C. When resolution is reached, the supervisor or department head must document the resolution. Copies must be forwarded to all involved parties and the Human Resource Director.

33.00 DRUG-FREE WORKPLACE

The City of West Lafayette is committed to providing a drug-free workplace. In order to maintain the safety and reputation of our working environment, the City will take all reasonable measures to ensure that drugs and alcohol do not jeopardize the safety of our operations or the quality of City services. The manufacture, sale, purchase, distribution, dispensation, possession, or illegal use of drugs or alcohol while on City premises, during working hours, including break and meal periods, while operating a City vehicle or while operating any other vehicle while on City business at any time is strictly prohibited. It is also a violation of City policy for an employee to report to work under the influence of alcohol or illegal drugs. These actions constitute serious violations of the City policy and can create situations that are unsafe or that substantially interfere with job performance. If the City has a reasonable suspicion that an employee is under the influence of drugs and/or alcohol, the City will require the employee to undergo a drug and/or alcohol test. The City may also require a drug and/or alcohol test if an employee is involved in an accident at work or during work hours or in a City vehicle. Refusal of

testing will result in termination of employment. A positive test result will result in disciplinary action up to and including termination, even for the first violation of this policy.

As a condition of employment with the City of West Lafayette, employees shall:

- (i) abide by the terms of the City's Drug Free Workplace Policy; and
- (ii) notify the Human Resources Director or the employee's department head of any criminal drug or alcohol statute conviction or guilty plea for a violation occurring in the workplace, during work hours or while operating or occupying a City vehicle or while operating any other vehicle while on City business no later than five (5) days after the conviction or guilty plea.

The City provides a confidential Employee Assistance Program ("EAP") for employees who desire counseling and/or rehabilitation services. Information regarding the City's EAP is available from the Human Resources Director.

City employees who are required to hold a commercial driver's license ("CDL") because of work they may be required to perform as City employees are subject to additional requirements mandated by the U.S. Department of Transportation. A separate policy addresses these additional requirements and will be provided to employees who hold CDLs.

34.00 DISCIPLINARY ACTION

34.01 POLICY

It shall be the duty of all employees to maintain high standards of cooperation, efficiency, economy and ethics in their work for the City of West Lafayette. The department head and/or supervisor shall organize and direct the work of his/her units to achieve these objectives.

Behavior which falls below these standards may subject the employee to disciplinary action. Disciplinary action includes verbal or written reprimand, days off or termination as determined by the supervisor and/or department head.

All written records regarding disciplinary action will be maintained in the employee's file within the department and in Human Resources. The employee shall have the right to review his/her own records during normal work hours at a mutually agreeable time.

In order to protect the employee's privacy, all written records shall be kept confidential, except as prescribed by law, and shall be accessible only to those in the direct chain of command, the Human Resources Director or others with a specific legal right to the information.

34.02 PROCEDURE

Whenever an employee's work habits, attitude, production or personal conduct falls below the prescribed standard, the department head or supervisor shall point out the deficiencies within a reasonable time after they are observed and remind the employee of the City's acceptable level of performance. A reasonable time to correct the deficiencies may be provided before disciplinary action is taken, depending on the severity of the deficiency.

Oral and written warnings may precede other disciplinary action depending on the severity of the deficiency. However, some incidents warrant immediate formal disciplinary action. The above shall not prohibit immediate formal disciplinary action, including discharge, whenever the interest of the City requires such action.

34.03 GROUNDS FOR DISCIPLINARY ACTION (including immediate termination):

- a. Actions which discredit the City of West Lafayette or hinder the function of City government may result in discipline up to and including termination. Examples of this include, but are not limited to: unacceptable work performance, such as failure to follow operational procedures or other misconduct, inefficiency, neglect of duties, incompetence, insubordination, laziness, sleeping on the job or malfeasance;
- b. providing false or misleading information on the employment application or other employment record, including but not limited to time-keeping records;
- c. falsifying City documents or documents that an employee provides to the City;
- d. discourtesy to citizens or persons doing business with the City;
- e. unauthorized possession of firearms, knives, weapons, explosives and other dangerous or hazardous substances during work hours whether on or off City premises;
- f. violation of the City's attendance policy;
- g. reporting to work under the influence of alcohol or other intoxicants, illegal substances or drugs not prescribed by a practicing physician or dentist, or the use, possession, distribution, transfer or trafficking of these substances on the job, job site or during working hours, including when on break, whether on or off City premises or other violation of the City's Drug Free Workplace Policy;
- h. willful, reckless or careless misuse or abuse of City property;
- i. pleading guilty or no contest to a crime or being convicted of a crime while employed by the City that is reasonably related to City business, that occurs on City premises or that involves a City vehicle, including but not limited to driving under the influence or moving traffic violations, such as reckless driving or speeding while operating a City vehicle or while on City business;
- j. theft or other removal of City property without authorization;
- k. removal of articles of value without authorization of a property owner while performing City services;
- l. verbal or physical assault by an employee on other City employees or citizens, including but not limited to threatening, intimidating, or harassing fellow employees or members of the public or other disorderly conduct that is a hindrance to the function of City services;
- m. verbally or physically refusing to perform assigned or directed work responsibilities;
- n. behavior which disrupts the work of others or which in any way contributes to a disharmonious or hostile work environment;
- o. engaging in or condoning racial, sexual or other harassment in the workplace or other violation of the City's Equal Employment Opportunity policy.
- p. excessive use of telephone, e-mail or internet for personal reasons or otherwise conducting personal business during work hours ;
- q. failure to work safely, including but not limited to failure to wear required personal protective equipment or other violations of the Safety Policy listed in this Personnel Manual;
- r. working carelessly or otherwise not following safety procedures that result in personal injury to co-workers or damage to City property
- s. failure to follow any other policy listed in this Personnel Manual.

In addition to the above list of actions, the Street and Sanitation Department and the Wastewater Treatment Utility employees have

additional "Uniform Rules and Regulations" which they are informed of and must abide by. Additionally, Street and Sanitation Department employees have separate Operational Procedures which they are also informed of and must abide by. (See Appendices 4 and 5.) Neither the above listing nor the separate appendices governing Wastewater Treatment Utility and Street and Sanitation departments is an exclusive listing of all grounds for discipline and/or immediate termination.

compensatory time, accrued clothing allowance, life insurance and sick leave due at the next pay period.

35.00 EMPLOYEE CONFERENCES

Employee conferences shall be conducted and documented on at least an annual basis by the department head. At that time, discussions will focus on job performance and goals. Both the supervisor and the employee shall sign the document reflecting the conference. The signature only verifies the accuracy of the written description of the discussion and does not necessarily indicate agreement with the review. The original document shall be maintained in the Human Resources Department and shall only be viewed by the employee's immediate supervisor, department head and Mayor. If the employee is a Clerk-Treasurer's office employee, then the documentation of the employee conference shall only be viewed by the Clerk-Treasurer.

36.00 SEPARATION

36.01 RESIGNATION

To resign in good standing, any employee should give at least fourteen (14) calendar days prior notice in writing to his/her supervisor. If an employee fails to give at least fourteen (14) days notice, he/she will not be entitled to paid accrued vacation or sick leave upon resignation.

36.02 IMPLIED RESIGNATION

An employee who without valid reason fails to report to work or make contact with his/her department head for three (3) consecutive working days without authorization shall be considered as having resigned.

36.03 LAY-OFF

Any involuntary separation other than for disciplinary reasons shall be considered a lay-off.

A. When, for any reason, it becomes necessary to reduce the workforce in West Lafayette, employees shall be laid off on the basis of the requirements as determined by department heads and the appropriate board.

B. Regular employees to be laid off shall be notified in writing by the supervisor at least fourteen (14) calendar days prior to the effective date of lay-off if feasible.

36.04 TERMINATION

Employees who have resigned, been discharged, or who have retired will receive their final pay in accordance with applicable state law. Employee benefits will be affected by employment termination in the following manner.

All accrued, vested benefits that are due and payable at termination will be paid. Some benefits may be continued at the employee's expense if the employee chooses. The employee will be notified in writing regarding benefits that may be continued and of the terms, conditions, and limitations of such continuance. An employee's termination date shall be the last day actually worked. An employee's termination date may not be extended to include accrued and/or unused paid or unpaid time off (e.g., sick days).

36.05 DEATH

When a regular employee dies, his/her estate shall be eligible to receive the earned salary and accrued vacation, payment for

APPENDIX 1

COMPENSATORY TIME OFF AGREEMENT

Effective April 15, 1986, exempt and non-exempt employees may receive compensatory time off in lieu of monetary overtime compensation in accordance with Section 7(o) of the Fair Labor Standards Act ("FLSA"), and the terms of this Agreement. This Agreement is an express condition of employment. The compensatory time received may be preserved, used or cashed out consistent with §7(o) of the FLSA. Compensatory time off for non-exempt employees required to work beyond forty (40) hours per week, will be earned at the rate of one and one-half (1-1/2) times for each hour actually worked over forty (40) hours in an established workweek. Exempt employees will earn compensatory time on an hour-for-hour basis for each hour actually worked over forty (40) hours in a workweek. This Agreement does not apply to elected officials and, unless compensatory time is authorized by the Mayor in writing, does not apply to department heads.

Exempt and non-exempt employees may accumulate up to 240 hours of compensatory time off. Exempt employees may not exceed, nor will they be compensated for additional hours in excess of the 240 hour maximum. Non-exempt employees will receive monetary compensation at one and one-half (1 ½) times their regular pay rate at the time of payment for any additional overtime hours. A department head or elected official can elect to pay off all or a portion of the accrued compensatory time anytime during the calendar year. In order to earn compensatory time off, exempt and non-exempt employees must keep daily service records.

Holiday, jury duty, and military leaves will be considered hours worked for the computation of compensatory time. However, the maximum hours of work credited per day cannot exceed the hours in an employee's regularly scheduled workday. Other absences, including vacation, sick leave, personal days, bereavement leave, or any other leave of absence shall not be considered hours worked for the computation of compensatory time off. Accrued vacation and sick leave cannot be converted to compensatory time off.

You may use earned compensatory time off with the approval of your supervisor. Your request for compensatory time off will be granted within a reasonable period, unless the requested time off would unduly disrupt operations. You will receive compensation based on your regular pay rate in effect when the compensatory time off is actually taken.

The City of West Lafayette may elect to substitute monetary overtime for earned compensatory time off, either at the time overtime is actually worked or in any later period. Monetary overtime compensation will be based on your regular pay rate at the time of payment.

The City of West Lafayette may also elect to apply earned compensatory time off to hours you have missed due to personal absence, short workweeks, layoffs, or leaves of absence, including medical leaves if not covered by paid sick days, disability pay, etc., but excluding leave under the Family and Medical Leave Act. In periods of slack work, it may be necessary to schedule time off, to which earned compensatory time off will be applied.

In the event you leave employment for any reason, you will be paid for earned compensatory time off at your final regular rate of pay, or your average rate during the last three years of employment, whichever is higher.

This Agreement is intended only to set forth our understanding concerning your compensatory time and overtime compensation; it

does not constitute an employment agreement or an employment contract. Either you or the City of West Lafayette may terminate your employment at any time and for any lawful reason. In such case, final compensation will be provided for all work actually performed on or before the next regular pay date following termination.

The City of West Lafayette will presume your agreement with and understanding of this condition of employment unless you express your unwillingness to accept compensatory time off in lieu of overtime compensation to the Human Resources Director.

APPENDIX 2

AFFIRMATIVE ACTION POLICIES & PRACTICES

The employment policies and practices of the City of West Lafayette, Indiana are to recruit and to hire employees without discrimination because of race, religion, color, sex, age, marital status, familial status, national origin, ancestry, handicaps, disabilities and disadvantages unrelated to job requirements and to treat employees equally with respect to compensation and opportunities for advancement, including upgrading, training, promotion, and transfer.

The City will ensure that criteria for all personnel actions, including recruitment, hiring, promotion, granting of tenure, compensation, employee benefits, transfer, demotion, layoff, return from lay-off, discipline, termination and all other terms, conditions and privileges of employment are job-related.

The City adopts these policies and practices to assure compliance with Executive Order 11246, and to reaffirm its continued commitment to a program of equal opportunity and merit employment policies. It agrees to assert leadership within the community and to put forth the maximum effort to achieve full employment and utilization of the capabilities and productivity of all its citizens without regard to race, religion, color, sex, marital status, familial status, national origin, ancestry, handicaps, disabilities or disadvantages unrelated to job requirements.

This City further recognizes that the effective application of a policy of merit employment involves more than just a policy statement and will, therefore, undertake a program of affirmative action to make known that equal employment opportunities are available on the basis of individual merit and to encourage all persons to seek employment with the City and to strive for advancement on this basis.

Assignment of Responsibilities

The Mayor will have the overall authority and responsibility for enforcement of the Affirmative Action Program. The Mayor hereby assigns responsibility for coordination and implementation of the Affirmative Action Program to the City's Human Resources Director.

Dissemination of Policy

The Human Resources Director will take appropriate steps to ensure that all employees are advised of this policy of nondiscrimination and of its interest in actively and affirmatively providing equal employment opportunity, such as:

1. The Human Resources Director will advise all department heads and any others in a position to implement this policy, including those engaged in recruiting, training and other personnel activities, of their responsibilities with respect to this Affirmative Action Program as set forth in "Duties of Department Heads" below.
2. The Human Resources Director will make a copy of the Affirmative Action Program available to all employees to ensure the program is known.
3. The Human Resources Director will send written notification of the City's Affirmative Action Program to all contractors, subcontractors, vendors and suppliers.

Additional duties of Human Resources Director:

1. The Human Resources Director will establish a system of communication and feedback within all departments to assure application of the policy throughout the entire City that:
 - (a) measures the effectiveness of the City's Program;
 - (b) determines the degree to which Affirmative Action objectives are met; and,
 - (c) identifies the need for remedial action.
2. The Human Resources Director will periodically advise all department heads and supervisors in writing of the importance of providing full and complete equal employment opportunity on all jobs and all phases of work.
3. The Human Resources Director will implement affirmative action policies in recruitment, hiring and employment by communicating policies internally and developing programs to achieve affirmative action objectives; and,
4. The Human Resources Director will direct a review by department of recruitment, hiring and employment procedures and goals annually in order to monitor program effectiveness and to determine where progress has been made and where further action is needed.

Duties of Department Heads:

The head of each department shall:

1. Report all pertinent affirmative action data and progress including but not limited to departmental procedures regarding affirmative action, information regarding the employment of minorities and women by the department, pertinent personnel actions of the department as well as anticipated future action to the Human Resources Director annually;
2. Assist in the identification of problem areas and in formulating solutions; and,
3. Provide the Human Resources Director with information to assist with assessing the effectiveness of the City's Affirmative Action Program and determining whether the goals of the Affirmative Action Program are being met.

Recruitment

The City will seek qualified women and minority group applicants for the various job categories and will make particular efforts to increase women and minority group representation in occupations at the higher levels of skill and responsibility.

1. All schools, colleges, employment offices, and other recruiting sources used by the City will be advised in writing of this policy, and will be urged to refer qualified women and minority groups applicants.
2. Where appropriate, employment advertisements will be placed in newspapers which are widely read by, and devoted to the interests of, women and minority groups. In addition, the City will request appropriate minority group agencies to assist in making known the City's policy and will advise such groups of available employment opportunities. It will also encourage similar employment referrals from present employees.

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3. Special efforts will be made to assist qualified women and minority applicants in obtaining employment in city government.
4. The Human Resources Director will analyze current recruiting methods and revise those methods which reflect any discriminatory practice.
5. The Human Resources Director will review and update its recruiting methods annually to insure the methods do not reflect any discriminatory practice.
6. The Human Resources Director will conduct annual analysis of job descriptions to ensure they accurately reflect job functions.

Hiring:

The Human Resources Director and each department, agency, board or commission of the City involved in hiring employees shall:

1. Review hiring decisions of the last five (5) years and revise those hiring procedures which reflect any discriminatory practice;
2. If necessary, set remedial goals for hiring qualified minorities and women within each job category of the department, agency, board or commission in order to measure its progress in eliminating any under representation of minorities and women, as follows:
 - (a) Jobs which do not require special skills. The goals for job categories which do not require special skills shall be in proportion to the overall percentage of minorities and women within the area work force;
 - (b) Jobs which require special skills. The goals for job categories which require special skills shall be in proportion to the overall percentage of minorities and women within the area work force who have the educational and experience requirements for the job category; and
3. Review and reevaluate its hiring procedures, decisions and goals annually by January 31 in order to insure that they do not reflect any discriminatory practice and in order to measure its progress in eliminating any under representation of minorities and women, as follows:
 - (a) Review hiring decisions of the year and revise those hiring procedures which reflect any discriminatory practice;
 - (b) Review hiring decisions in light of the remedial goals established for the year and report progress in eliminating the under representation of minorities and women or lack thereof to the Mayor, including any reasons why despite good faith efforts the department, agency, board or commission was unable to meet its goals for the year;
 - (c) Reevaluate remedial goals established for each job category to insure that the goals are realistic in relation to the number of qualified minorities and women in the area work force and to insure that the goals are being used as guidelines rather than as quotas which must be met; and
 - (d) Discontinue the remedial goal for a particular job category when the under representation of minorities and women is eliminated in that category.

Placement and Promotion

1. The Human Resources Director will review job categories where few minority group persons are presently employed, and seek to determine the cause of such low minority representation. When necessary, remedial efforts may include such actions as the following:
 - (a) Actively encouraging the promotion of minorities and women to positions for which they are qualified;
 - (b) Posting promotional opportunities;

(c) Special discussions with appropriate management, supervisory, or other personnel, regarding the City's policy and its desire to ensure the utilization of qualified women and minority group personnel at all job levels; and,

(d) Re-evaluation of qualifications of the lower echelon of women and minority group employees to determine whether their skills and capabilities may be more fully utilized at higher job levels or would warrant their transfer to other types of jobs more readily leading to advancement.

2. Promotions will be made entirely on the basis of performance and achievement without regard to race, religion, color, sex, age, marital status, familial status, national origin, ancestry, handicaps, disabilities or disadvantages unrelated to job requirements. All employees will have an equal opportunity to compete and produce.
3. Transfers of personnel at all levels will be monitored to ensure that equal consideration, as required by the City policy, has been given to qualified minority group employees.

Training

In-house and on-the-job training programs, as well as all other training and educational programs to which the City gives support or sponsorship, will be regularly reviewed to ensure that minority group candidates as well as all other employees are given equal opportunity to participate.

Layoffs, Termination, and Downgrading

The City will ensure that layoffs, terminations, downgrading and recalls from layoffs are made without regard to race, religion, color, sex, age, marital status, familial status, national origin, ancestry, handicaps, disabilities or disadvantages unrelated to job requirements.

If possible, all City employees will be notified in advance of any general layoff, termination and/or downgrading. The reason for any general layoff, termination and/or downgrading will be clearly stated.

Other Activities

1. The City will review personnel actions of the past five years, including but not limited to actions related to employee promotions, raises, benefits, transfers, layoffs, returns from layoffs, and training or educational programs, and revise those personnel procedures which reflect any discriminatory practice.
2. The City will insure that there is no disparity in the compensation received by minority group employees and other employees for performing equivalent duties, and that opportunities for performing overtime work or otherwise earning increased compensation are afforded without discrimination to all employees.
3. It is the City's policy that none of its facilities will be segregated, and the same policy will be observed with respect to any employee programs or activities which are sponsored or supported by the City.
4. The City will participate in community service, educational and other programs which assist in providing equal opportunity to all persons without regard to race, religion, color, sex, age, marital status, familial status, national origin, handicaps, disabilities or disadvantages.
5. The City will assist others by sharing its experience and programs to provide full and equal employment opportunities.
6. The City will maintain records and resource files on its EEO programs. Continuous and on-going research will be conducted to develop and implement programs for equal employment

opportunities. Programs will be revised, updated and improved upon wherever possible.

7. The City will make every reasonable effort to engage qualified minority group Contractors for its projects. They will be invited to propose for work, and technical advice will be given for the preparation and submission of proposals and quotations, including purchase of materials and equipment. Contractors will be encouraged to increase minority group participation in the competitive market of their trades. Periodic reviews will be made to ensure that minority contractors are invited to propose and that assistance is offered to them.

APPENDIX 3

POLICY AGAINST HARASSMENT AND DISCRIMINATION

Policy

It is the policy of the City of West Lafayette that the following types of harassment and discrimination against employees and members of the public are prohibited and will not be tolerated: harassment and discrimination based on sex (with or without sexual conduct) race, color, religion, national origin, ancestry, age, handicap, disability, sexual orientation or protected activity (such as, opposition to prohibited discrimination or participation in the statutory complaint process). Prohibited harassment and discrimination demean individual dignity and lower the productivity of the City's workforce in serving the public and is in violation of long-standing policy of the City. This policy covers prohibited harassment and discrimination by anyone in the workplace—supervisors, co-workers, and non-employees.

Responsibility

No employee of the City shall engage in harassment or discrimination based on sex (with or without sexual conduct) race, color, religion, national origin, ancestry, age, handicap, disability, sexual orientation or protected activity (such as, opposition to prohibited discrimination or participation in the statutory complaint process). It is the special responsibility of department heads to ensure that this prohibited harassment or discrimination does not occur and to make it known that prohibited harassment and discrimination are not tolerated in their respective departments.

Employees are subject to this policy while on City premises or acting as City representatives on any occasion. This policy forbids prohibited harassment and discrimination of other employees or any members of the public or other persons with whom the employee has contact in the course of employment.

Prohibited Conduct

A. Discrimination and Harassment

Examples of harassment and discrimination based upon race, color, sex, religion, national origin, ancestry, age, handicap, disability, sexual orientation and protected activity (such as, opposition to prohibited discrimination or participation in the statutory complaint process), may include but are not limited to:

1. A pattern of conduct which has the intent or effect of discomforting or humiliating that may include any of the following: (a) comments regarding sex, race, age, color, religion, national origin, ancestry, handicap, disability, sexual orientation and protected activity (such as, opposition to prohibited discrimination or participation in the statutory complaint process), (b) questions, jokes or anecdotes regarding sex, race, age, color, religion, national origin, ancestry, handicap, disability, sexual orientation and protected activity (such as, opposition to prohibited discrimination or participation in the statutory complaint process), (c) stereotyping based upon sex, race, color, religion, national origin, ancestry, age, handicap, disability or sexual orientation, or (d) remarks about sex, race, color, religion, national origin, ancestry, age, handicap, disability, sexual orientation and protected activity (such as, opposition to prohibited discrimination or participation in the statutory complaint process).
2. Displays of materials, such as pictures, posters or cartoons, which have the effect of creating a hostile environment based upon sex, race, color, religion, national origin, ancestry, age, handicap, disability or sexual orientation.

3. Discrimination or unfair treatment because of sex, race, age, color, religion, national origin, ancestry, handicap, disability, sexual orientation and protected activity (such as, opposition to prohibited discrimination or participation in the statutory complaint process) in hiring, firing, pay promotion, benefits, working environment or any other job aspect or employment decision.

4. Sexual harassment is one type of sex discrimination. (See "B".)

The existence of all types of prohibited harassment and discrimination, particularly the creation of a "hostile environment", is judged based upon the perception of a reasonable person, as well as the subjective perception of the victim. As an employee or a supervisor, you should be sensitive to whether any behavior is causing discomfort to another person, whether intended or not.

B. Sexual Harassment

Examples of sexual harassment include but are not limited to, sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

1. Submitting to the conduct is an explicit or implicit condition of employment, promotion or advancement or avoiding adverse action or the receipt of City services; or
2. The conduct has the purpose or effect of substantially interfering with an individual's employment or creating an intimidating or hostile or offensive environment for the individual's employment or receipt of City services.

The following are examples of conduct that may constitute sexual harassment:

- a. Physical assault.
- b. Direct propositions of a sexual nature.
- c. Direct or implied threats that submission to sexual advances will be a condition of employment, promotion, advancement or avoiding adverse action.
- d. Unwelcome attention, which is reasonably perceived to be pressure for sexual activity, such as repeated and unwanted staring or comments with sexual overtones.
- e. A pattern of conduct which has the intent or effect of discomforting or humiliating that includes any of the following: (1) comments of a sexual nature, (2) sexually explicit statements, questions, jokes or anecdotes, (3) gender stereotyping, (4) remarks about sexual activities, or (5) unnecessary touching, patting, hugging or brushing against a person's body.
- f. Displays of sexual materials, such as pictures, posters or cartoons, which have the effect of creating a hostile environment.

Amorous or sexual relationships, sexual activity of any kind and requests for sexual activity of any kind, even those that are allegedly "consenting", between any management employee and any person over whom he/she has any degree of power or authority, are prohibited.

Complaint Procedure

Employees, or members of the public in the case of discrimination in the provision of City services, are strongly encouraged to rely on this policy and the commitment of the City that prohibited harassment and discrimination will not be tolerated.

All employees or members of the public who believe that they have been harassed or discriminated against in any manner because of race, religion, color, sex (including sexual harassment), age, national origin, ancestry, handicap, disability, sexual orientation or protected activity are strongly encouraged to use this procedure. Additionally, all employees who believe that they

have been denied an Equal Employment Opportunity (i.e. hiring, firing, lay-off, pay, promotion, benefits, working atmosphere, and any other term, condition, or privilege of employment) in any manner because of race, religion, color, sex (including sexual harassment), age, national origin, ancestry, handicap, disability or sexual orientation are strongly encouraged to use this procedure. Employees or members of the public who believe that they have been discriminated against in violation of the Americans with Disabilities Act and employees who believe their rights under the Family and Medical Leave Act have been interfered with may also use this procedure.

If you are an employee and you believe you have been harassed or discriminated against as described in this policy, you should contact your supervisor as soon as possible. If you believe your supervisor is involved with or engaging in the harassment or discrimination, or if for any other reason you are uncomfortable talking to your supervisor, you may contact the City's Director of Human Resources, Diane Foster at 775-5108 or your department head.

All supervisors who receive complaints of harassment or discrimination or are otherwise aware of harassment or discrimination must immediately report the complaints of harassment or discrimination to the City's Human Resources Director, Diane Foster.

Complaints of harassment and discrimination may be brought by any employee as outlined above. Employees are encouraged to report harassment before it becomes severe or pervasive. The City is committed to preventing harassment and stopping it before it reaches this level.

Any member of the public may report prohibited harassment or discrimination to a department head or the Mayor.

All complaints by employees and members of the public regarding harassment and discrimination will be investigated promptly, thoroughly and impartially in accordance with the City's procedure. The City will protect the confidentiality of allegations of harassment and discrimination to the extent possible.

Employees or members of the public who make complaints of harassment or discrimination or provide information related to such complaints will be protected against retaliation. The City will not tolerate adverse treatment of employees or members of the public because they report harassment or discrimination or provide information related to such complaints.

Employees who feel that they have been harassed or discriminated against on the basis of race, religion, color, sex (including sexual harassment), age, national origin, ancestry, handicap, disability, or protected activity should also be aware that they have the right to file charges of unlawful harassment or discrimination with the EEOC or Indiana Civil Rights Commission. The deadline for filing a complaint of discrimination with the Indiana Civil Rights Commission is 180 days from the date of unlawful harassment or discrimination, and the deadline for filing a charge of discrimination with the EEOC is in some instances 180 days and in some instances 300 days from the date of unlawful harassment or discrimination, NOT from the date that the complaint to the employer is resolved. You should contact the Indiana Civil Rights Commission and the EEOC to ensure you meet the correct deadline. Although the City intends to fully, promptly and impartially investigate all complaints of harassment and discrimination, employees are not required to wait until the City has completed its investigation to file a charge of discrimination with the EEOC or Indiana Civil Rights Commission.

Employee Discipline

A person directly involved in prohibited harassment or discrimination as described in this policy will be subject to discipline up to and including termination. Any supervisor who knows or reasonably should know that prohibited harassment or discrimination is occurring and fails to act reasonably to halt or prevent the harassment or discrimination will be subject to discipline up to and including termination. All employees, and especially supervisory personnel, have a responsibility to assure that employees and members of the public are not subjected to prohibited harassment or discrimination of any nature by a City employee, including the existence of a "hostile environment."

Making charges of harassment or discrimination that are knowingly or intentionally false may be the basis for discipline.

APPENDIX 4

Street and Sanitation Department and Wastewater Treatment Utility Uniform Rules and Regulations

Except where otherwise indicated, the foregoing progressive disciplinary action for the following violations consist of the following steps:

- First Offense.....Written Reprimand
Second Offense..... 3-day Unpaid Suspension
Third Offense.....Discharge

Reprimands and suspensions MAY precede other disciplinary action depending on the severity of the incident. The City has discretion, regardless of the discipline listed with these rules, to take other immediate formal disciplinary action, including discharge, for any rule or policy violation.

I. Vehicle Damage and/or Accidents

- A. Accidents determined to be attributable to the driver (as the direct result of recklessness, negligence, carelessness, or who openly displays a total disregard for the safe operation of the vehicle and its occupants) may result in the suspension of driving privileges pending further investigation. As a result of such actions, the driver may also be held financially responsible to reimburse the City for all associated costs for damages attributable to the incident.
- B. Failure to report all vehicular accidents immediately to the department head and to law enforcement as required by law including personal injury, and/or damage to equipment or vehicle:
Discharge

II. Equipment

- A. Failure to exercise proper care of City-owned vehicles, including but not limited to, failure to report mechanically defective condition of equipment, and failure to keep assigned vehicle clean and properly maintained.
- B. The following conduct will result in discharge:
- Unauthorized use of equipment;
 - Willfully tampering with equipment;
 - Willful damage to equipment;
 - Unauthorized modification or alteration of equipment, such as removal of safety guards or devices;
 - Negligent or careless loading, unloading, checking, or handling, resulting in damage to or loss of equipment or property.
- C. Improper use of radio
- D. Misuse or loss of city issued personal safety equipment
- E. City Garage or City Tool Usage
Use of the City garage for work on personal vehicles is forbidden. The department head must approve personal use of City tools. If the department head approves personal use of City tools, tools must be signed out and returned the next morning.

III. Time Cards

- A. Punching another employee's time card or record; having one's time card or time record punched by another employee; or, altering a time card or time record for any reason:
Discharge
- B. Failure to clock in or out

IV. Conduct

- A. Employees shall not park in unauthorized areas (fire lanes, handicap, etc.).

- B. No employee shall be present upon City property outside of operational hours unless approved by the department head.
- C. Conviction of or guilty plea to a felony:
Discharge
- D. Arrest on a felony or misdemeanor charge that is related to job assignment, occurs on city property, or involves a City vehicle or property.
Indefinite Suspension Without Pay, Pending Acquittal;
Discharge Upon Conviction
- E. Use or possession of another employee's personal tools without his/her consent.
- F. Employees shall not post, remove, or alter notices or other documents on City premises without prior written approval from a department head.
- V. **Reports**
- A. Failure to make out required reports properly.
- B. Tampering with or falsification of reports or required samples:
Discharge

APPENDIX 5

Operational Procedures for Street and Sanitation Employees

Operational Hours and Breaks

Operational hours are Monday thru Friday, 7:00 a.m. to 11:30 a.m. and 12:00 p.m. to 3:30 p.m. Lunch is from 11:30 a.m. to 12:00 p.m. Employees receive two (2) fifteen (15) minute breaks, one at 9:00 a.m. and one at 2:00 p.m. Should work schedules need to be altered, different break times must be approved by the supervisor.

Break Location:

There shall be no more than three (3) departmental vehicles at any one location during break time. If an employee's work site is at the department, the break must be taken at the work site unless another location is approved by the supervisor or department head.

Overtime

Must be approved and directed by the supervisor. Overtime will be calculated to the nearest ¼ hour (15 minutes).

Time Cards:

All work times must be recorded and time cards signed at the end of the work week. Employees must clock in 2 minutes prior to arrival at their work stations and clock out within 2 minutes of departure from their work stations.

Telephone

All employees are required to have a telephone at their residence for emergency communications.

Work Stoppage Due to Weather Conditions

Employees shall report to work regardless of weather conditions. If the weather conditions are unfit for work (temperature -5 degrees below, wind chill factor -15 degrees below or as the department head directs), at 10:00 a.m., the department head will inform employees of work requirements for the remainder of the work day. Employees may use available leave time to cover any absence due to weather conditions. Paid time off due to weather conditions must be approved by the Board of Works. Should a sanitation pick up be missed due to the weather, employees will be notified of the next pick up date.

Receipts & Purchases

All purchases must be previously approved by the department head and receipts must be obtained and signed by the person picking up purchases. Signatures must be readable.

Non-Smoking Work Facility

This department's buildings and work sites shall be tobacco and smoke free. Employees may smoke in outside designated areas only.

Uniforms

Denim pants (no shorts)
Safety vest provided by the City and/or bright orange shirts
Steel-toed boots

Materials Quality Control

Recyclables are not trash and shall not be treated as such but shall be treated as a product to be sold. Recyclables must meet a particular standard of quality. Employees shall be advised of these standards during training and shall meet these standards during the course of their employment. A copy of the standards is available in the department head's office.

Sanitation/Recycling Guidelines

Hazardous materials are not to be collected (i.e. liquid paint, flammables, and other toxic chemicals). Consult the office or department head via radio before collecting questionable hazardous materials if you have questions.

Trash containers must be returned to the curb as not to obstruct the mailbox or driveway. Do not throw.

Recyclable containers must be returned to the curb so as not to obstruct the mailbox or driveway. Do not throw.

Unauthorized removal of garbage (trash, recyclables, or other items) meant for disposal as provided by our service is prohibited.

Yard waste is to be picked up on designated days only. Remove all foreign materials out of yard waste. (e.g., plastic bags)

Notify the office or department head immediately by radio from the location if any item cannot be collected in the sanitation and/or recycling vehicle and instructions will be given on how to handle or arrangements for a special item pick-up will be made.

APPENDIX 6

Permissible Deductions for Salaried Employees

The Fair Labor Standards Act (FLSA) is a federal law which requires that most employees in the United States be paid at least the federal minimum wage for all hours worked and receive overtime pay at time and one-half the regular rate of pay for all hours worked over 40 hours in a workweek.

However, Section 13(a)(1) of the FLSA provides an exemption from both minimum wage and overtime pay for employees employed as bona fide executive, administrative, professional and outside sales employees. Section 13(a)(1) and Section 13(a)(17) also exempt certain computer employees. To qualify for exemption, employees generally must meet certain tests regarding their job duties and be paid on a salary basis at not less than \$455 per week. Job titles do not determine exempt status. In order for an exemption to apply, an employee's specific job duties and salary must meet all the requirements of the Department's regulations.

Salary Basis Requirement

To qualify for exemption, employees generally must be paid at not less than \$455 per week on a salary basis. These salary requirements do not apply to outside sales employees, teachers, and employees practicing law or medicine. Exempt computer employees may be paid at least \$455 on a salary basis or on an hourly basis at a rate not less than \$27.63 an hour. Being paid on a "salary basis" means an employee regularly receives a predetermined amount of compensation each pay period on a weekly, or less frequent, basis. The predetermined amount cannot be reduced because of variations in the quality or quantity of the employee's work. Subject to exceptions listed below, an exempt employee must receive the full salary for any workweek in which the employee performs any work, regardless of the number of days or hours worked. Exempt employees do not need to be paid for any workweek in which they perform no work. If the employer makes deductions from an employee's predetermined salary, i.e., because of the operating requirements of the business, that employee is not paid on a "salary basis." If the employee is ready, willing and able to work, deductions may not be made for time when work is not available.

Circumstances in Which the Employer May Make Deductions from Pay

Deductions from pay are permissible when an exempt employee: is absent from work for one or more full days for personal reasons other than sickness or disability; for absences of one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness; to offset amounts employees receive as jury or witness fees, or for military pay; or, for unpaid disciplinary suspensions of one or more full days imposed in good faith pursuant to the City's disciplinary policies (§§ 31.00-31.03) or for violation of the Rules and Regulations or Operational Procedures set forth in Appendices 4 and 5 of this Personnel Manual. Also, an employer is not required to pay the full salary in the initial or terminal week of employment; for penalties imposed in good faith for infractions of safety rules of major significance; or, for weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act. In these circumstances, either partial day or full day deductions may be made.

City Policy

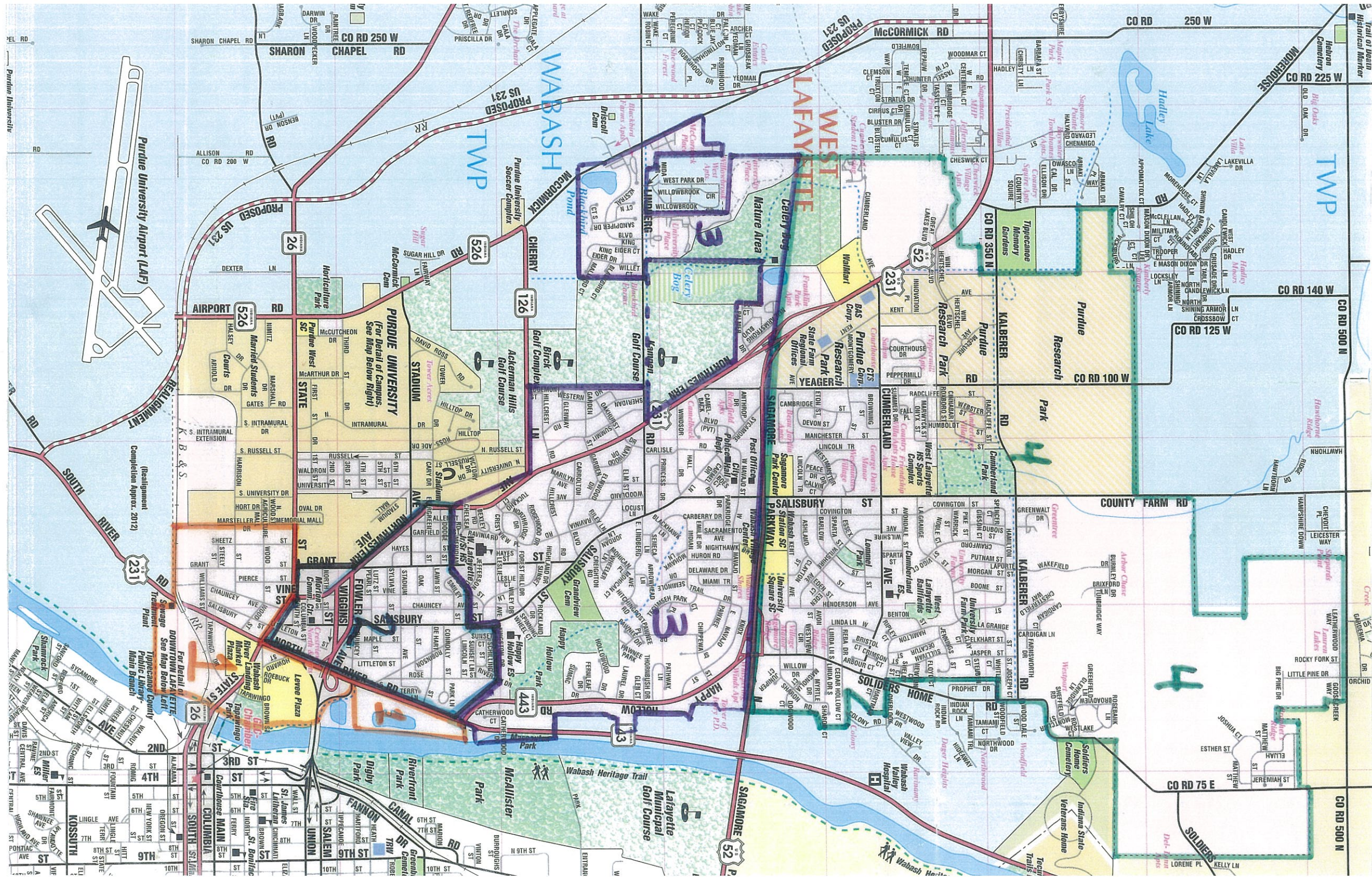
It is the City's policy to comply with the salary basis requirements of the FLSA. Therefore, the City prohibits all supervisors and department heads from making any improper deductions from the salaries of exempt employees. The City wants employees to be aware of this policy and that the City does not allow deductions that violate the FLSA.

What To Do If An Improper Deduction Occurs

If you believe that an improper deduction has been made to your salary, you should immediately report this information to the Human Resources Director who shall in turn report it to the Clerk-Treasurer's Office.

Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be promptly reimbursed for any improper deduction made.

City Map.pdf



Purdue University

Purdue University Airport (LAF)

Completion Approx. 2012

See Map Below Left

Tippecanoe County

Tippecanoe County

Lafayette Housing Authority MOU.pdf

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding, hereinafter referred to as "MOU", is made and entered into between the Lafayette Housing Authority, a governmental corporation, hereinafter referred to as the "LHA" and the West Lafayette Police Department, a law-enforcement agency, hereinafter referred to the "WLPD".

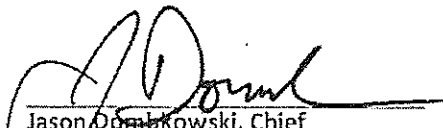
The LHA and the WLPD agree to share information for the purpose of verifying continued eligibility for participants and/or initial eligibility for applicants of the Housing Choice Voucher Program, administered by the LHA.


Both parties fully understand and agree to the following roles and responsibilities:

- WLPD agrees to provide police reports to the LHA for properties where the WLPD has been called to the unit where a current participant on the HCV Program is living. Note: Police reports cannot be released containing the following information; juvenile offenders or victims, cases undergoing active investigation; cases that involve the use of informants. The police report will be redacted as dictated by Indiana Code. WLPD cannot release reports containing: information on juveniles, ongoing investigations, or social security numbers of citizens. In some cases, summary information will be available. (See attached code- highlighted sections);
- WLPD agrees to protect the privacy of the information that is shared verbally, written or via database; LHA agrees to ensure that every adult household member will sign a Release of Information authorizing the sharing of information. LHA will mark the police report as "Confidential" and will maintain the report in a secured location;
- LHA agrees to allow the WLPD access to the LHA database in order to identify assisted units;
- On occasion, when warranted, the LHA may contact the WLPD to obtain police reports for a certain property, for a certain time period. The contact person for this request will be to the Records Manager of the WLPD. WLPD will email cases to LHA to Executive Director or Deputy Director for distribution to the requesting staff member at LHA;
- LHA agrees to protect the privacy of the information it receives from the WLPD; LHA agrees to abide by the same state laws and statutes that bind WLPD on the release of documents; specifically the release of reports outside LHA. (see attached IC Code 5-14-3)

LHA or WLPD may terminate this MOU at any time by giving written notice to the other party at least thirty (30) days before the effective date of termination.

Agreed to as written this 11 day of June, 2015:


Jason Dombkowski, Chief
West Lafayette Police Department


Michelle Reynolds, Executive Director
Lafayette Housing Authority

High Tech Crime Unit MOU.pdf

MEMORANDUM OF UNDERSTANDING FOR INTER-AGENCY COOPERATION
FOR THE TIPPECANOE COUNTY HIGH TECH CRIME UNIT

MEMORANDUM OF UNDERSTANDING made and entered this 3RD day of SEPT, 2015, by the TIPPECANOE COUNTY PROSECUTORS OFFICE, TIPPECANOE COUNTY SHERIFFS DEPARTMENT, LAFAYETTE POLICE DEPARTMENT, WEST LAFAYETTE POLICE DEPARTMENT, PURDUE POLICE DEPARTMENT, TIPPECANOE CO COMMUNITY CORRECTIONS, and the PURDUE UNIVERSITY CYBER FORENSICS LAB for the purposes of creating an inter-agency resource to invest crimes in Tippecanoe County that may involve digital evidence.

Purpose

The purpose of creating such a High Tech Crime Unit (HTCU) is to consolidate resources and personnel to efficiently investigate crimes in Tippecanoe County that involve digital evidence.

Provisions

It is, therefore, agreed as follows:

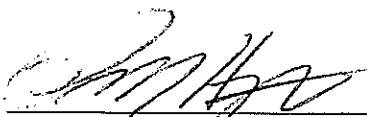
- a. All Law Enforcement Agencies listed in the contract agree to join the Tippecanoe County High Tech Crime Unit.
- b. Internet Crimes Against Children (ICAC) Task Force and follow the rules and regulations set forth by the Indiana ICAC Letter of Understanding attached as Enclosure A. The required ICAC monthly reports will be submitted by the Tippecanoe County Prosecutors Office as one report to the Indiana State Police ICAC Commander.
- b. The Tippecanoe County Prosecutors Office will be the fiscal agent for all ICAC grant money awarded to local law enforcement agencies (excluding Indiana State Police) be used for the HTCU.
- c. All NCMEC investigations referred by the Indiana ICAC Task force will be investigated by the Tippecanoe HTCU members per the ICAC agreement. The primary law enforcement agency for the investigation will be based on the jurisdiction of where the crime occurred. The same principle applies for other crimes reported by other methods to law enforcement. All other law enforcement agencies of the HTCU will provide support if requested from the primary agency. Support may include assisting in the execution of a search warrant, interviewing suspects/witnesses, use of equipment, and technician expertise.

d. A SOP will be created for the Tippecanoe HTCUC and reviewed annually for necessary changes.

e. The Purdue University Cyber Forensics Lab will be able to provide individual law enforcement agencies with Cyber Forensics Students as interns to provide knowledge and technical background of digital evidence to investigators. Interns will gain investigative experience from law enforcement. Requirements and conditions are covered in the Internship Agreement listed in Enclosure B.

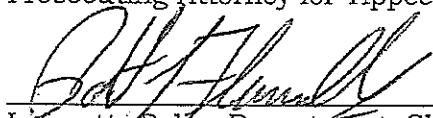
f. The Purdue University Cyber Forensics Lab will allow access to specialized forensic equipment if needed and provide advanced computer forensic knowledge if needed.

IN WITNESS WHEREOF, the parties have set their hands and seals.




Prosecuting Attorney for Tippecanoe County

9/3/2015
Date



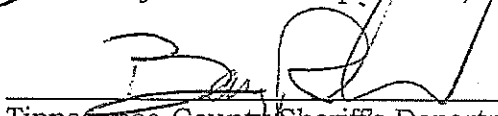
Lafayette Police Department, Chief

9/3/2015
Date



West Lafayette Police Department, Chief

9/3/2015
Date




Tippecanoe County Sheriff's Department, Sheriff

9-3-15
Date



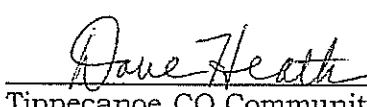
Purdue Police Department, Chief

9/3/2015
Date



Purdue University Cyber Forensics, Chairman

9/4/15
Date



Tippecanoe CO Community Corrections, Executive Director

9/4/15
Date

MOU for West Lafayette Police and Fire with Purdue Police and Fire.pdf

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is entered into by and between the City of West Lafayette, Indiana ("West Lafayette"), and Purdue University, a public university with its main campus in West Lafayette, Indiana ("Purdue").

WHEREAS, West Lafayette and Purdue have a longstanding practice of cooperating together, including in connection with the operation of their police and fire departments, to create an environment that is beneficial to their mutual interests and to the safety and security of their citizens and residents; and

WHEREAS, as part of that cooperation, Purdue and the West Lafayette Police Department executed a Mutual Aid Agreement dated March 8, 1972 (the "Mutual Aid Agreement"); and

WHEREAS, although the area known as the Island (as defined below) is located in the middle of and is surrounded by the Purdue campus, historically the West Lafayette Police Department and the West Lafayette Fire Department have retained primary jurisdiction for providing police and fire protection services in that area; and

WHEREAS, many of the properties located in the Island are owned or occupied by Purdue, Purdue Research Foundation, or organizations affiliated with Purdue; and

WHEREAS, Purdue police and fire departments are already the primary responders for several properties in the Island, including the University Street Parking Garage, the Lawson Computer Science Building, and the Telephone Services Building; and

WHEREAS, Purdue's police and fire stations are closer than their West Lafayette counterparts to the Island, enabling Purdue police officers and fire fighters to respond more quickly in the Island; and

WHEREAS, while the Purdue Police Department has historically been the primary responder for the southbound lanes of Northwestern Avenue from Stadium Avenue to North Grant Street, the parties have determined that it would be more efficient for the West Lafayette Police Department to assume that role; and

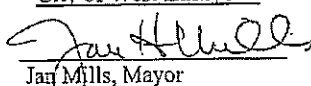
WHEREAS, I.C. 20-12-3.5-2(b) authorizes Purdue police officers to exercise their statutory powers on real estate owned or occupied by Purdue, including the streets passing through and adjacent thereto, and to establish responsibility in other areas by agreement with the chief of police of the municipality where the campus is located; and

WHEREAS, both Purdue and West Lafayette have determined that public safety and overall efficiency would be improved for their mutual benefit if Purdue assumes primary jurisdiction for providing police and fire services in the Island;


NOW THEREFORE, the parties agree as follows:

1. The "Island" means (i) Stadium Avenue from Russell Street to Northwestern, (ii) State Street from Marsteller Street to Russell Street, (iii) University Street from State Street to Stadium Avenue, (iv) Russell Street from State Street to Stadium Avenue, and (v) the entire area, including all streets, which is bounded by Stadium Avenue on the north, University Street on the east, State Street on the South, and Russell Street on the west. A map of the Island is attached as Exhibit A.
2. As of January 1, 2007, (i) Purdue shall assume primary responsibility and jurisdiction for providing police and fire protection services in the Island, and (ii) the West Lafayette Police Department shall assume primary responsibility and jurisdiction for providing police protection and services in the southbound lanes of Northwestern Avenue from Stadium Avenue to North Grant Street.
3. The West Lafayette Police Department will continue to enforce on-street parking regulations in the Island and will continue to retain revenues resulting from such enforcement. The Purdue Police Department will continue to enforce parking laws in the Island which involve public safety, such as laws prohibiting parking near fire hydrants and at yellow curbs near intersections. The Purdue Police Department will also continue to enforce parking regulations in all university owned parking garages, including the University Street Parking Garage located in the Island.
4. This Memorandum of Understanding supplements the Mutual Aid Agreement. Both will remain in force until terminated in writing by either party.

City of West Lafayette

By: 
Jan Mills, Mayor

Date: 12/8/06

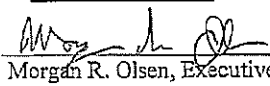
By: 
Dan Marvin, Chief of Police

Date: 12-08-06

By: 
Philip Drew, Fire Chief

Date: 12-11-06


Purdue University

By: 
Morgan R. Olsen, Executive
Vice President and Treasurer

Date: 12/07/06

By: 
Gary Evans, Chief of Police

Date: 12-7-06

By: 
Kenneth E. Alling, Fire Chief

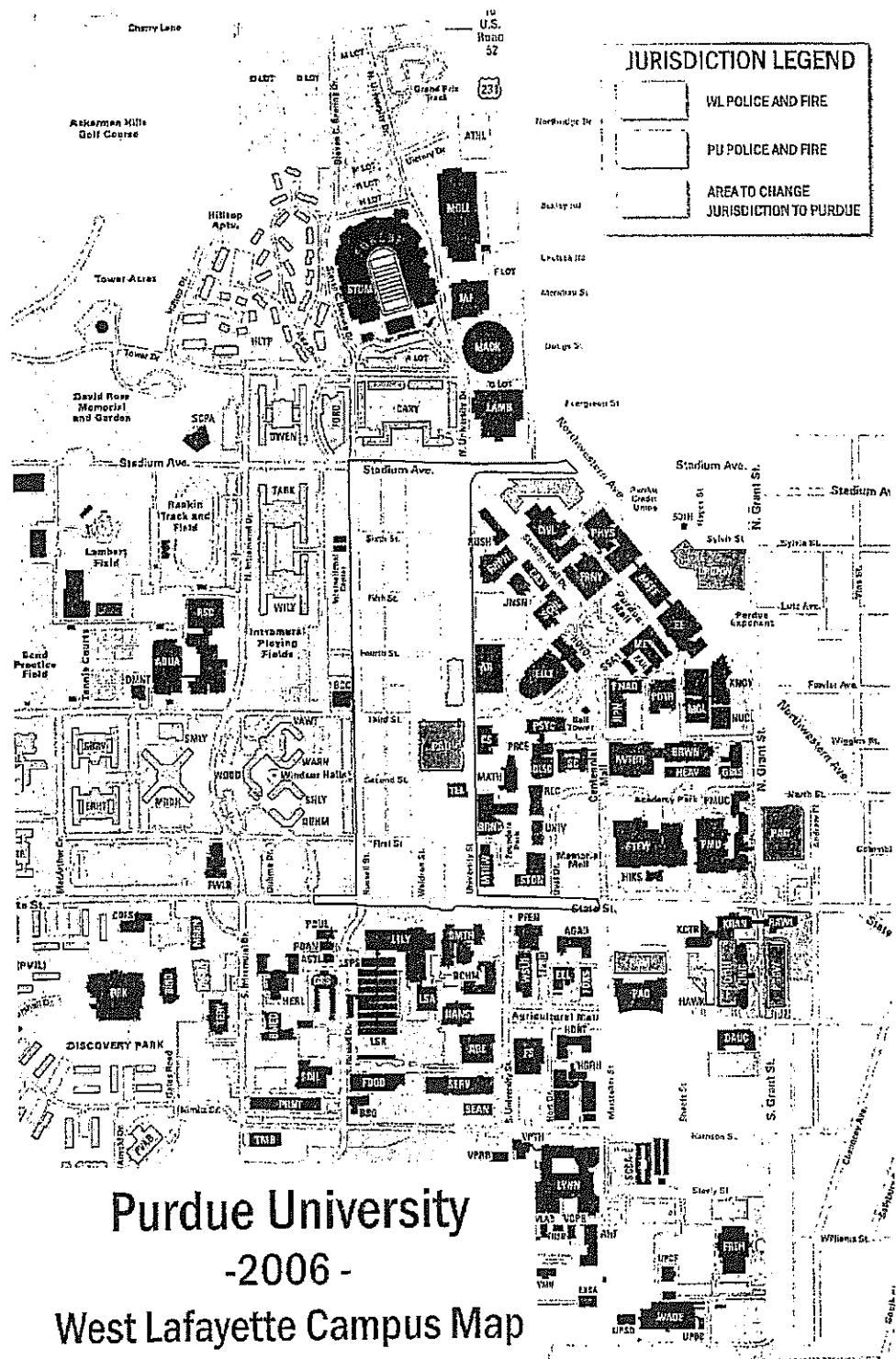
Date: 12/8/06

Execution Copy

Exhibit A

Map of the Island

[Attached]



MOU with the Indiana Supreme Court Judicial Technology and Automation Committee (JTAC).pdf

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding ("MOU") is made by and between the Indiana Supreme Court's Division of State Court Administration Judicial Technology and Automation Committee ("JTAC"), and _____ of _____, hereinafter ("AGENCY").

Whereas, the state of Indiana through JTAC has received grant funding to develop and deploy an electronic Citation and Warning System (eCWS) software application for the Indiana State Police and all local law enforcement agencies throughout the state in order to improve the timeliness and accuracy of traffic cases involving all drivers holding a commercial driver license endorsement (CDL). The eCWS initiative will also facilitate the transfer of the ticket data from the eCWS central repository to the Court's Case Management System, and possibly to other law enforcement and court systems as well. JTAC may offer available resources to the AGENCY if resources are available to JTAC and JTAC determines that the AGENCY is in need of those resources.

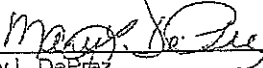
Whereas, the AGENCY is interested in participating in the eCWS project.

Now, THEREFORE, the parties agree as follows:


- (1) Any resources provided to the AGENCY from JTAC in the form of *funds* for personnel, computer hardware or upgrades to existing databases or for other approved resources will be used primarily for the purpose of ensuring that the AGENCY is participating in the eCWS initiative. AGENCY agrees to receive written permission from JTAC *prior* to spending any resources provided under this agreement. AGENCY must also receive written assurances from JTAC before local funds spent will be reimbursed by JTAC.
- (2) AGENCY agrees to receive written permission from JTAC *prior* to reassigning or disposing of any resources provided under this agreement.
- (3) Rights, ownership, maintenance, disposal of any computer hardware provided under this agreement to the AGENCY shall become the responsibility of the AGENCY. However, JTAC reserves the right to reclaim all computer hardware (including scanners and printers) distributed to the AGENCY if they fail to comply with any term or condition of this MOU.
- (4) Rights and ownership of any software provided under this agreement remains the property of JTAC and cannot be modified or transferred without the prior written permission of JTAC.

- (5) As soon as the eCWS application is built to accommodate the manual data entry feature for hand written tickets, AGENCY agrees to submit all Agency ticket data to the eCWS Central Repository database as timely as possible but not more than 48 hours following the issuance of a citation or warning using the eCWS application or a paper ticket.
- (6) Once an AGENCY submits the ticket data to the eCWS Central Repository, the rights and ownership of the ticket data remains the property of the AGENCY for 48 hours or sooner if the AGENCY indicates that the ticket data is available to the appropriate county prosecutor, city attorney or local court for filing.
- (7) AGENCY agrees to fully participate with JTAC to implement and utilize the eCWS initiative in their respective town, city and/or county.
- (8) The Department of Homeland Security, the Indiana Criminal Justice Institute and the Prosecuting Attorney's Council have the right to access the data in the Central Repository in furtherance of their official business.

This Agreement is entered into this _____ day of _____, 2007.

Signature: 
Name: Mary L. DePietz
Title: Director and Counsel for Trial Court Technology
Date: 8/20/08

AGENCY

Signature: 
Name: Jason L. Dombkowski
(Printed)
Title: Chief of Police
Date: May 19, 2008

AGREEMENT

THIS AGREEMENT (the "Agreement") is made and entered into as of this 19th day of May, 2008 (the "Effective Date"), by and between the Indiana Supreme Court through its Division of State Court Administration ("Division"), and West Lafayette Police Chief of Police Jason L. Dombkowski ("Client").

WHEREAS, Division owns and maintains hardware and software for storing data and information from and for judicial and law enforcement agencies in the State of Indiana ("Division System," as further defined herein).

WHEREAS, Client desires to access the Division System and have Division store particular data and information ("Data," as further defined herein) on the Division System in accordance with the terms and conditions set forth in this Agreement.

NOW, THEREFORE, in consideration of the covenants and conditions contained herein and for other good and valuable consideration, the receipt, adequacy and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. Definitions:

A. "Division System" means the hardware and software for storing Data and the communication hardware and software to provide electronic access to the Data and additional data and information provided by other clients of Division.

B. "Users" means those authorized by Client to submit Data to and access the Division System.

C. "Data" means the information and data provided by Client and Users to Division.

D. "Server" means the computers maintained by Division or by third parties with whom Division has contracted to store the Data.

2. Data. Client may transmit Data to the Division System for storage on the Division System. Division shall dictate the format in which the Data must be submitted to the Division System. Client shall submit the Data to Division only in this approved format. The Data will be available to and may be accessed by the Division. It is Client's responsibility to ensure that the Data does not contain any confidential or proprietary information of any third party. Client and Users may access Client Specific Data, and information and data on a given individual submitted by others to the Division System, only for the internal business purposes of Client.

3. Client Responsibilities. Client shall be responsible for purchasing all third party hardware, software, network equipment, network access services and other equipment or services necessary to access the Division System. Client acknowledges that its use of any third party hardware, software, equipment or services may be subject to the terms and conditions of a

separate agreement between Client and such third party. Client must provide and maintain a constant and stable Internet connection which can connect with the Server.

4. Security. Client shall notify Division of any unauthorized use of its Users' passwords or accounts or any other breach of security of which it becomes aware.

5. Term and Termination. This Agreement shall commence on the Effective Date and shall, unless earlier terminated pursuant to this Section, continue for a period of one (1) year from the Effective Date ("Initial Term"). At the expiration of the Initial Term, this Agreement shall automatically renew for additional one (1) year periods ("Renewal Terms"), unless one of the parties hereto notifies the other in writing at least thirty (30) days prior to the end of the Initial Term or any Renewal Term of its election to terminate this Agreement. If such written notice is given, then this Agreement shall terminate without further notice at the end of the Initial Term or Renewal Term in which such notice was given.

Division may terminate this Agreement in whole or in part at any time for any or no cause upon thirty (30) days advance written notice to Client. Division reserves the right to terminate this Agreement in whole or in part immediately upon notice to Client if Client breaches any material term of this Agreement.

6. Training, Technical Support and Maintenance Services. This Agreement does not obligate Division to provide Client support for any third party hardware, software, networking equipment, network services, or other equipment or services not provided by Division hereunder.

7. Ownership of Data. Client shall own all right, title and interest in and to the Data and all intellectual property rights therein. Client hereby authorizes Division to allow access to the Data on a given individual submitted by other clients to the Division System, only for internal business purposes of Client. The Data may be aggregated with data and information provided by other clients of Division as necessary. Division will not transfer, lease or sell Data without the prior written approval of Client.

8. Nature of Relationship. In performing their respective obligations hereunder, each of the parties shall operate as and have the status of an independent party and shall not act as or be an agent, partner, or employee of the other party. Neither party shall have any right or authority to assume or create any obligations of any kind or to make any representations or warranties on behalf of the other party, whether express or implied, or to bind the other party in any respect whatsoever. Nothing contained herein shall give or is intended to give any rights of any kind thereby creating a third party beneficiary thereto.

9. Indemnification by Client. Client shall be liable for and shall defend, indemnify and hold Division harmless from any liability, damages or loss and from any claims, suits, proceedings, demands, recoveries or expenses suffered by Division as a result of a breach of this Agreement by Client, including, but not limited to, any introduction of computer viruses or other technological measures that compromise the security of and information located within the Servers and/or the Division System.

10. Warranty Disclaimers and Limitation of Liability. DIVISION IS NOT LIABLE FOR ANY DEFECTS, MALFUNCTIONS, DELAYS, OR LOSSES DUE TO THIRD PARTY SOFTWARE, HARDWARE, EQUIPMENT OR SERVICES. THE DIVISION SYSTEM IS PROVIDED "AS IS" WITHOUT WARRANTY OF ANY KIND. DIVISION MAKES NO REPRESENTATIONS OR WARRANTIES REGARDING THE DIVISION SYSTEM. DIVISION EXPRESSLY DISCLAIMS ALL WARRANTIES INCLUDING ANY REGARDING MERCHANTABILITY, NON-INFRINGEMENT, FITNESS FOR A PARTICULAR PURPOSE, AND ANY IMPLIED WARRANTIES THAT MAY OTHERWISE ARISE AS A RESULT OF COURSE OF PERFORMANCE OR USAGE OF TRADE. DIVISION DOES NOT WARRANT THAT THE FUNCTIONS CONTAINED IN THE DIVISION SYSTEM WILL MEET CLIENT'S SPECIFIC REQUIREMENTS, OR THAT OPERATION OF THE DIVISION SYSTEM WILL BE UNINTERRUPTED OR ERROR FREE. DIVISION SHALL NOT BE LIABLE TO CLIENT FOR ANY DAMAGES WHATSOEVER, EVEN IF CLIENT CAN SHOW THAT IT HAS SUSTAINED DAMAGES. IN NO EVENT WILL DIVISION BE LIABLE FOR INDIRECT, INCIDENTAL, CONSEQUENTIAL OR SPECIAL DAMAGES OF ANY TYPE OR NATURE, EVEN IF DIVISION HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. DIVISION SHALL HAVE NO LIABILITY OR RESPONSIBILITY FOR PROBLEMS WITH THE DIVISION SYSTEM CAUSED BY ALTERATION OR MODIFICATION BY CLIENT OR FOR PROBLEMS ARISING OUT OF THE MALFUNCTION OF CLIENT'S OR ANY THIRD PARTY'S EQUIPMENT OR THIRD PARTY SOFTWARE.

11. Assignment. Client shall not assign this Agreement or any license hereunder without the prior express written consent of Division. Any other attempt to sublicense, assign or transfer this Agreement or the licenses granted hereunder shall be void. Merger or change in ownership of a party shall not be deemed to be an assignment.

12. Entire Agreement. This Agreement, together with any exhibits, constitutes the entire understanding between the parties with respect to the Division System, and may only be modified by a writing signed by both parties.

13. Severability. If any provision of this Agreement is found unenforceable, the remaining provisions shall continue in full force and effect.

14. Governing Law. This Agreement shall be governed by Indiana law. Any actions relating to this Agreement shall be brought and maintained only in the state of Indiana, and Client consents to exclusive venue and jurisdiction therein and waives any right to object to jurisdiction or venue.

15. Force Majeure: In the event an act of government, war conditions, fire, flood, terrorism, labor action or act of God prevents either party from performing in accordance with the provisions of this Agreement, except for payment obligations of Client, such non-performance shall be excused and shall not be considered a breach or default so long as the said condition prevails.

16. Notices. Any notice required or permitted by this Agreement shall be in writing and shall be sent by Certified Mail, return receipt requested and postage prepaid or by national commercial overnight courier to the address specified herein or such other address as either party may in the future specify in writing to the other:

To Division:

To Client:

West Lafayette Police Department
711 West Navajo Drive
West Lafayette, Indiana 47906
Attn: Captain John T. Walker

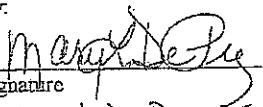
IN WITNESS WHEREOF, the parties hereto execute and deliver this Application Division Agreement in counterparts as of the Effective Date.

Indiana Supreme Court,
through its Division of State Court Administration
("Division")

("Client")

By:

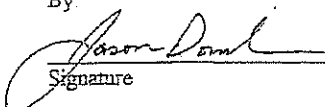
By:



Signature
Marc L. DePrez, Esq.

Printed Name and Title
8/20/08

Date



Signature
Jason L. Dombkowski, Chief

Printed Name and Title
May 19, 2008

Date

Dir + Counsel of
Trial Court Technology

Judicial Technology and Automation Committee
Indiana Supreme Court
Division of State Court Administration
30 South Meridian Street, Suite 500
Indianapolis, IN 46204-3417

November 3, 2009

West Lafayette Police Department
711 W Navajo St
West Lafayette, IN 47906-1967

Enclosed, you will find copies of the signed agreements between your agency and the Division of State Court Administration's Judicial Technology and Automation Committee (JTAC). These agreements are associated with the deployment of the Electronic Citation and Warning System (eCWS) and have been signed by the director and counsel for JTAC.

These documents are copies for your files. No action is required by your agency.

Sincerely,

David Sluss
eCWS Trainer/Support
Brooksource
Indiana Supreme Court
Division of State Court Administration
30 S. Meridian, Ste. 500
Indianapolis, IN 46204

BME Draft, January 9, 2008

SOFTWARE LICENSE AGREEMENT

THIS SOFTWARE LICENSE AGREEMENT (the "Agreement") is entered into as of this 8th day of August, 20 08 (the "Effective Date") by and between the Indiana Supreme Court through its Division of State Court Administration ("Licensor"), and WEST LAFAYETTE POLICE DEPARTMENT ("Licensee").

Recitals:

WHEREAS, Licensor is the owner of certain computer software designed to facilitate communication between law enforcement agencies regarding driver information, known as the Electronic Citation and Warning System, which is identified in Exhibit A and referred to in this Agreement as "eCWS"; and

WHEREAS, Licensee desires to obtain a license to use the eCWS pursuant to the terms and conditions set forth herein; and

WHEREAS, Licensor agrees to grant Licensee a license to use the eCWS pursuant to the terms and conditions set forth herein.

Agreement:

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements of the parties and for other good and valuable consideration, the receipt, adequacy and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **Definitions.** The following definitions shall apply to this Agreement:

- (a) "Documentation" means the written materials, in any form, relating to the eCWS and provided to Licensee by Licensor.
- (b) "eCWS" means the Electronic Citation and Warning System software, in object code form identified on Exhibit A attached hereto and made a part hereof.
- (c) "Licensed Material" means the eCWS and Documentation provided to Licensee by Licensor.
- (d) "Territory" means "State of Indiana"

2. **License, Ownership and Restrictions.**

2.1 As of the Effective Date, and subject to the terms and conditions of this Agreement, Licensor hereby grants to Licensee, and Licensee hereby accepts, a royalty-free, non-exclusive license to use the eCWS and Documentation in the Territory for Licensee's internal business purposes only.

2.2 Licensee shall not modify or sublicense the eCWS.

2.3 Nothing contained herein shall be construed as the relinquishment on the part of Licensor of any of Licensor's ownership interest in the Licensed Material.

3. Consideration.

3.1 As partial consideration for the licenses granted herein, Licensee shall submit to Licensor, no later than two (2) days following the issuance of a citation or warning, all traffic ticket data obtained by Licensee through the use of the eCWS so that Licensor may include such data in the eCWS database maintained by Licensor.

4. Term and Termination.

4.1 This Agreement and the license granted hereunder shall commence on the Effective Date and shall, unless earlier terminated pursuant to Section 4.2 hereof, continue for a period of one (1) year from the Effective Date ("Initial Term"). At the expiration of the Initial Term, this Agreement shall automatically renew for additional one (1) year periods ("Renewal Terms"), unless one of the parties hereto notifies the other in writing at least thirty (30) days prior to the end of the Initial Term or any Renewal Term of its election to terminate this Agreement. If such written notice is given, then this Agreement shall terminate without further notice at the end of the Initial Term or Renewal Term in which such notice was given.

4.2 Licensor may terminate this Agreement upon thirty (30) days advance written notice to Licensee if Licensee commits a material breach of any term or condition contained in this Agreement and fails to remedy the same within thirty (30) days after such written notice. Such written notice shall specifically identify and describe the nature of the breach and demand that the breach be remedied.

4.3 Either party may terminate this Agreement by written notice to the other party if bankruptcy, insolvency, or reorganization proceedings, or other proceedings analogous in nature or effect, are instituted by or against the other party, the other party is dissolved or liquidated (whether voluntarily or involuntarily), a receiver or trustee is appointed for all or a substantial part of the assets of the other party, or the other party makes an assignment for the benefit of creditors.

4.4 Upon any termination or expiration of this Agreement, the license granted hereunder shall immediately terminate and Licensee shall cease using the Licensed Material

and, at the discretion of Licensor, Licensee shall forward to Licensor all written or electronic materials containing the Licensed Material.

4.5 Notwithstanding a termination of this Agreement for any reason, Sections 5, 7, 8 and 9 shall survive the termination of this Agreement.

5. Confidentiality.

5.1 For the purposes of this Agreement, "Confidential Information" means information of a non-public nature regarding the current and/or planned activities and business of Licensor, including, without limitation, concepts, techniques, systems, designs, computer programs, formulas, development or experimental work, inventions, cost data, business strategies, personnel information, and financial information. Confidential Information does not include information that is (i) in the public domain at the time of disclosure; or (ii) information received by Licensee from a third party, provided that such information was not obtained by said third party directly or indirectly in breach of obligations of confidentiality; or (iii) information that Licensee shows by sufficient written evidence that was in its possession or already known to it at the time of disclosure, or (iv) information that Licensee shows by written evidence was indirectly developed by the Licensee without use or reference to the Confidential Information.

5.2 During and subsequent to the term of this Agreement, Licensee, its agents and employees shall not make any unauthorized use or disclosure of any knowledge or information of a confidential or proprietary nature concerning the Licensed Material, or the Confidential Information, and shall refrain from any acts or omissions that would reduce the value of such Licensed Material and Confidential Information to Licensor or that would deprive or tend to deprive Licensor of trade secret or other intellectual property protection with respect to such Licensed Materials and Confidential Information.

6. Financial Terms.

6.1 Each party is responsible for its own taxes, duties and other governmental fees or assessments under this Agreement, including sales or use taxes based on gross revenue or gross income.

7. No Warranties.

7.1 THE LICENSED MATERIAL IS PROVIDED "AS-IS" WITHOUT ANY WARRANTY WHATSOEVER. LICENSOR EXPRESSLY DISCLAIMS ALL WARRANTIES, EXPRESS OR IMPLIED, INCLUDING THE WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, AND NON-INFRINGEMENT.

8. Limitation of Liability.

8.1 IN NO EVENT SHALL EITHER PARTY BE LIABLE TO THE OTHER PARTY FOR ANY INDIRECT, INCIDENTAL, SPECIAL, CONSEQUENTIAL, EXEMPLARY, PUNITIVE OR RELIANCE DAMAGES (INCLUDING, WITHOUT LIMITATION, LOST OR ANTICIPATED REVENUES OR PROFITS) ARISING OUT OF THIS AGREEMENT OR LICENSEE'S USE OF THE ECWS, ON ANY THEORY OF LIABILITY, EVEN IF SUCH PARTY IS ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.

8.2 LICENSOR SHALL NOT BE LIABLE TO LICENSEE FOR ANY DIRECT DAMAGES ARISING OUT OF THIS AGREEMENT OR LICENSEE'S USE OF THE LICENSED MATERIAL.

9. Miscellaneous.

9.1 This Agreement shall in all respects be governed by the laws of the State of Indiana (regardless of the laws that might be applicable under principles of conflicts of law).

9.2 This Agreement may be executed in any number of counterparts and may be executed and transmitted by facsimile. All counterparts shall collectively constitute one and the same agreement.

9.3 Neither party shall be in default of this Agreement or be liable for any delay or failure in performance resulting directly or indirectly from any cause beyond its reasonable control; provided however, that either party who fails because of force majeure to perform its obligations hereunder shall, upon the cessation of the force majeure, take all reasonable steps within its power to resume compliance under the Agreement with the least possible delay.

9.4 Neither party may assign or otherwise transfer this Agreement or any other rights or obligations herein without the express written consent of the other party, which consent shall not be unreasonably withheld. This Agreement shall be binding upon and inure to the benefit of each of the parties hereto, their successors and assigns.

9.5 This Agreement does not appoint Licensee as an agent or legal representative of Licensor for any purpose whatsoever, nor shall any provision herein be construed to place the parties in a relationship of partners or joint venturers. Licensee is granted no right or authority under this Agreement to assume or create any obligation or responsibility for or on behalf of Licensor or to otherwise bind Licensor or to use the Licensed Marks or Licensor's name other than as may be expressly authorized by Licensor.

9.6 This Agreement shall supersede all previous communications between the parties hereto with respect to the subject matter contained herein, including but not limited to, any prior agreement, proposal, correspondence or oral discussion relating to the

subject matter hereof. Neither Licensor nor Licensee has entered into this Agreement in reliance upon any representation, warranty, covenant or undertaking of the other party that is not set out or referred to in this Agreement.

9.7 This Agreement may be modified or amended only by the written agreement of the parties specifically referencing this Agreement.

9.8 If any provision of this Agreement is held to be illegal, invalid or unenforceable in any respect, then the parties hereto shall substitute such provision with a legal, valid and enforceable provision which attempts to obtain the same result as the provision declared illegal, invalid or unenforceable. The provisions hereof are severable, and in the event any provision of this Agreement is held to be illegal, invalid or unenforceable in any respect, then the remaining provisions of this Agreement shall remain binding on Licensor and Licensee.

9.9 No failure or delay on the part of either party in the exercise of any power or right hereunder shall operate as a waiver thereof. No single or partial exercise of any right or power hereunder shall operate as a waiver of such right or of any other right or power. The waiver by either party of a breach of any provision of this Agreement shall not operate or be construed as a waiver of any other or subsequent breach hereunder.

9.10 The descriptive headings of the several sections of this Agreement are inserted for convenience only and do not constitute a part of this Agreement.

9.11 Any notice or other communications required or permitted hereunder shall be sufficiently given if in writing and delivered personally or sent by facsimile, Federal Express (or other similar reputable third party delivery service), registered mail or certified mail, postage prepaid and addressed as noted in the preamble of this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

(“Licensor”)

Signature:

Printed:

Title:

1043092_1

Mary L. DePrez
MARY L. DEPREZ
DIRECTOR & COUNSEL
FOR TRIAL COURT
TECHNOLOGY

WEST LAFAYETTE POLICE DEPARTMENT

(“Licensee”)

Signature:

Printed:

Title:

Jason Dombkowski
Jason Dombkowski
Chief of Police

In cooperation with the U. S. Department of Transportation, eCWS produces a Uniform Traffic Ticket (UTT) that identifies Commercial Drivers. The electronic information recorded by the officer will be transmitted to courts and the Bureau of Motor Vehicles in later phases of this project. The citation and warning information will also be available to the appropriate judicial and law enforcement officials so the most up-to-date data is available. Because they will have access to more timely data, an officer in one county may determine that a warning is not appropriate if the same driver was given a warning the week before in another county.

The eCWS initiative is an addition to and the 'next step' in the JTAC-BMV project, which allows courts and clerks to transmit serious infractions by a commercial driver to the BMV electronically instead of by mail or fax.

BENEFITS OF eCWS

- *Eliminates handwritten tickets* and the need to enter the same information into a separate database(s)
- *Enhances safety of Hoosier streets and highways* by identifying dangerous drivers quickly
- *Eliminates duplicate entries* by law enforcement, courts, clerks, ISP and BMV
- *Increases accuracy* of information—data fields pre-populated from license and registration
- *Reduces errors* because data is not retyped multiple times
- *Gives officers more time to patrol* by reducing paperwork
- *Saves clerical time* for clerks, courts and agencies because data is transferred electronically
- *Improves timeliness* by making data available electronically

The final phase of this project is phase IV, which will include the deployment of this program statewide to all other law enforcement officials with the necessary training and equipment.

This project will increase efficiencies for prosecutors and courts when citations can be forwarded to them electronically for reviewing and processing. The judicial system can set court dates in a timelier manner for drivers with a CDL endorsement who commit traffic violations while driving either their commercial motor vehicle or their privately owned vehicle. This system will give prosecutors and courts important information at their fingertips to ensure that Commercial Driver license holders cannot opt into diversion or deferral programs, and to ensure all penalties and fines are assessed both timely and correctly.

Currently, the Commercial Motor Vehicle law enforcement and all ISP officials submit a paper copy of each traffic violation they write to a data entry employee for recording. Once the traffic violation is adjudicated, the law enforcement officer usually returns to the court to obtain a paper copy of the judgment, and submits the document to a data entry person to record the conviction. The system used by the data entry employee to record both the violation and the conviction is referred to as Das Tas, which is an antiquated mainframe system. This system does not have the security features necessary to alert the proper authorities when CDL convictions are adjudicated improperly according to the Motor Carrier Safety Act (MCSIA) of 1999. With the development of an e-citation application, both procedures can be done by electronic transmission and will have security features built into the application to ensure the prosecutor and the court of conviction are notified when the court finding violates the federal rules and regulations as it relates to masking of violations for CDL holders. JTAC anticipates that the system design will have the necessary alerts for prosecutors and judges to prevent or disallow the inappropriate masking of traffic convictions.

Our main goal in this project is to give law enforcement officials the necessary tools to quickly and accurately capture the correct information when writing a citation and the ability to electronically transmit the information to all interested entities. Interested entities include all law enforcement agencies at the state and local level, all courts, prosecutors, and others at the local, state and federal level that need and want this crucial information. In return the e-citation project will give the courts the ability to transmit the adjudication of the violation to the proper law enforcement agency for their records. This project will give the State of Indiana an additional tool necessary to ensure that Commercial Driver License violations are not being masked, deferred or that a CDL holder is not entering into a diversion or deferral program that would prevent a CDL driver's conviction for any violation, in any type of motor vehicle, of a state or local traffic control law from appearing on the driver's 'official driving record', whether the driver was convicted for an offense committed in the state where the driver is licensed or another state. The end-to-end result will be that all traffic convictions will be sent to all interested entities in an accurate and timely manner.

Officers use a scanner to read the drivers license and vehicle registration. A new citation is then generated in the cCWS system with the driver's information automatically entered. The officer will record appropriate offenses, court information and print a paper ticket for the offender.



Exhibit A

eCWS

The software for the e-citation system will leverage an existing system already being utilized by over 80% of Indiana law enforcement agencies to record and distribute records associated with highway crashes. That system will be enhanced by various state staff members to include e-citation functionality, including the ability to scan the driver license. Another component of the e-citation project will be to ensure that conviction information for all e-citations are properly tracked and shared with the appropriate state and local agencies.

At this time, the majorities of all citations are written manually and can be hard to read. Citations that are hard to read can make it difficult for data entry and court personnel to interpret; therefore, essential data necessary to carry out federal rules and regulations that pertain to recording penalties and disqualifications for individuals holding a Commercial Motor Vehicle endorsement could be recorded incorrectly or not at all. On December 20, 2006, an executive management committee was formed to provide oversight for the eCWS initiative. This committee contains representatives from the Indiana State Police including the Metro Carrier Division, Indiana Excise Police, enforcement division of the Department of Natural Resources, Indiana Criminal Justice Institute, Bureau of Motor Vehicles, Indianapolis Metropolitan Police Department, Indianapolis Office of the Mayor, and JTAC.

This project has been organized into four (4) distinct Phases. Phase I of this project regards purchasing the equipment that will allow the Commercial Motor Vehicles Enforcement Officers of the Indiana State Police as well as all other State Police officers who enforce traffic laws, judicial officers and those in charge of protecting the safety of our citizens the tools necessary to populate pertinent information on traffic citations in a quick, accurate, and legible format. The utilization of a scanner will automatically populate the driver license information and driver license type, which will greatly decrease the number of mistakes made by law enforcement officers when completing a citation or by a court clerk performing a data entry function eCWS will be designed to alert the officer, the prosecuting attorney and the judicial officer if the violation involves a driver with a CDL endorsement.

Phase II of this project will consist of researching, designing, developing and testing of the electronic citation/warning system application. In addition, this phase will include, training, materials and manuals that will be written to assist educating law enforcement agencies and instruct them on the correct methods to transmit citations/warnings electronically. The courts will be trained to return court adjudications electronically back to law enforcement officials. The pilot program selection will be included in this phase and emphasis will be placed on piloting a select group of Motor Carrier Enforcement Officials that deal directly with commercial driver license holder that are ticketed for traffic violations.

Phase III of this project will include the deployment of this project to all other Motor Carrier Enforcement Officials and all other Indiana State Police enforcement officers. Additional equipment will need to be purchased in phase III to prepare us for the final phase of this project.

MEMORANDUM OF AGREEMENT
July 17, 2008

THIS AGREEMENT (the "Agreement") is made and entered into this 8th day of August, 2008 (the "Effective Date"), by and between the Indiana Supreme Court through its Division of State Court Administration ("Division") and WEST LAFAYETTE POLICE DEPARTMENT ("Agency").

Whereas, the state of Indiana through the Division received grant funding to develop and deploy an electronic Citation and Warning System (eCWS) software application for the Indiana State Police and all local law enforcement agencies throughout the state in order to improve the timeliness and accuracy of traffic cases involving all drivers holding a commercial driver license endorsement (CDL). The eCWS initiative will also facilitate the transfer of the ticket data from the eCWS central repository to the Odyssey Court's Case Management System, and possibly to other law enforcement and court systems as well. The Division may offer available resources to the AGENCY if resources are available to the Division and the Division determines that the AGENCY is in need of those resources.

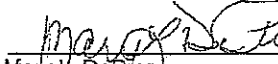
Whereas, the AGENCY is interested in participating in the eCWS project.

Now, THEREFORE, the parties agree as follows:

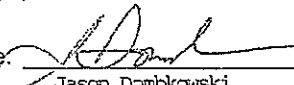
- (1) Any resources provided to the AGENCY by the Division in the form of *funds*, personnel, computer hardware or upgrades to existing databases or for other approved resources will be used primarily for the purpose of ensuring that the AGENCY is participating in the eCWS initiative. AGENCY agrees to receive written permission from the Division *prior* to spending any resources provided under this agreement. AGENCY must also receive written assurances from the Division before local funds spent will be reimbursed by the Division.
- (2) AGENCY agrees to receive written permission from the Division *prior* to reassigning or disposing of any resources provided under this agreement.
- (3) Rights, ownership, maintenance, disposal of any computer hardware provided under this agreement to the AGENCY shall become the responsibility of the AGENCY.
- (4) Rights and ownership of any software provided under this agreement remains the property of the Division and cannot be modified or transferred without the prior written permission of the Division.

- (5) AGENCY agrees to submit all Agency ticket data to the eCWS Central Repository database in a format provided by the Division. The ticket data shall be submitted in a timely fashion and as agreed upon by the parties. AGENCY agrees to make any necessary changes to the file format as required by the Division when required changes are made to the Central Repository. AGENCY agrees to make these changes in a timely fashion and as agreed upon by the parties.
- (6) After an AGENCY submits the ticket data to the eCWS Central Repository, the rights and ownership of the ticket data remains the property of the AGENCY unless and until the AGENCY submits the ticket data to either the appropriate county prosecutor, city attorney or local court for filing.
- (7) AGENCY agrees to fully participate with the Division to utilize the eCWS application and/or participate with the Division to utilize the eCWS Central Repository in their respective town, city and/or county.
- (8) The Division will provide the AGENCY access to the eCWS Central Repository so that AGENCY can track and monitor ticket data for their agency and run the reports available to them through eCWS Central Repository. In addition, the Division will provide the AGENCY using the eCWS application with a file formatted by the Division of their ticket data to import into the AGENCY record management system.
- (9) AGENCY and the Division agree that the Department of Homeland Security, the Indiana Criminal Justice Institute and the Prosecuting Attorney's Council have the right to access the data in the Central Repository in furtherance of their official business.

This Agreement is entered into this 8th day of August, 2008.

Signature: 
Name: Mary L. DePrez
Title: Director and Counsel for Trial Court Technology
Date: July 8, 2009

AGENCY

Signature: 
Name: Jason Dombkowski
(Printed)
Title: Chief of Police
Date: August 8, 2008

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding ("MOU") is made by and between the Indiana Supreme Court's Division of State Court Administration Judicial Technology and Automation Committee ("JTAC"), and _____

Chief Jason L. Dombkowski _____ of
West Lafayette Police Department _____, hereinafter ("AGENCY").

Whereas, the state of Indiana through JTAC has received grant funding to develop and deploy an electronic Citation and Warning System (eCWS) software application for the Indiana State Police and all local law enforcement agencies throughout the state in order to improve the timeliness and accuracy of traffic cases involving all drivers holding a commercial driver license endorsement (CDL). The eCWS initiative will also facilitate the transfer of the ticket data from the eCWS central repository to the Court's Case Management System, and possibly to other law enforcement and court systems as well. JTAC may offer available resources to the AGENCY if resources are available to JTAC and JTAC determines that the AGENCY is in need of those resources.

Whereas, the AGENCY is interested in participating in the eCWS project.

Now, THEREFORE, the parties agree as follows:

- (1) Any resources provided to the AGENCY from JTAC in the form of *funds* for personnel, computer hardware or upgrades to existing databases or for other approved resources will be used primarily for the purpose of ensuring that the AGENCY is participating in the eCWS initiative. AGENCY agrees to receive written permission from JTAC *prior* to spending any resources provided under this agreement. AGENCY must also receive written assurances from JTAC before local funds spent will be reimbursed by JTAC.
- (2) AGENCY agrees to receive written permission from JTAC *prior* to reassigning or disposing of any resources provided under this agreement.
- (3) Rights, ownership, maintenance, disposal of any computer hardware provided under this agreement to the AGENCY shall become the responsibility of the AGENCY. However, JTAC reserves the right to reclaim all computer hardware (including scanners and printers) distributed to the AGENCY if they fail to comply with any term or condition of this MOU.
- (4) Rights and ownership of any software provided under this agreement remains the property of JTAC and cannot be modified or transferred without the prior written permission of JTAC.

- (5) As soon as the eCWS application is built to accommodate the manual data entry feature for hand written tickets, AGENCY agrees to submit all Agency ticket data to the eCWS Central Repository database as timely as possible but not more than 48 hours following the issuance of a citation or warning using the eCWS application or a paper ticket.
- (6) Once an AGENCY submits the ticket data to the eCWS Central Repository, the rights and ownership of the ticket data remains the property of the AGENCY for 48 hours or sooner if the AGENCY indicates that the ticket data is available to the appropriate county prosecutor, city attorney or local court for filing.
- (7) AGENCY agrees to fully participate with JTAC to implement and utilize the eCWS initiative in their respective town, city and/or county.
- (8) The Department of Homeland Security, the Indiana Criminal Justice Institute and the Prosecuting Attorney's Council have the right to access the data in the Central Repository in furtherance of their official business.

This Agreement is entered into this _____ day of _____, 2008.

Signature: Mary L. DePrez
Name: Mary L. DePrez
Title: Director and Counsel for Trial Court Technology
Date: July 8, 2009

AGENCY

Signature: Jason L. Dombkowski
Name: Jason L. Dombkowski
(Printed)
Title: Chief of Police
Date: May 19, 2008

AGREEMENT

THIS AGREEMENT (the "Agreement") is made and entered into as of this 19th day of May, 2008 (the "Effective Date"), by and between the Indiana Supreme Court through its Division of State Court Administration ("Division"), and West Lafayette Police Chief of Police Jason L. Dombkowski ("Client").

WHEREAS, Division owns and maintains hardware and software for storing data and information from and for judicial and law enforcement agencies in the State of Indiana ("Division System," as further defined herein).

WHEREAS, Client desires to access the Division System and have Division store particular data and information ("Data," as further defined herein) on the Division System in accordance with the terms and conditions set forth in this Agreement.

NOW, THEREFORE, in consideration of the covenants and conditions contained herein and for other good and valuable consideration, the receipt, adequacy and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. Definitions:

A. "Division System" means the hardware and software for storing Data and the communication hardware and software to provide electronic access to the Data and additional data and information provided by other clients of Division.

B. "Users" means those authorized by Client to submit Data to and access the Division System.

C. "Data" means the information and data provided by Client and Users to Division.

D. "Server" means the computers maintained by Division or by third parties with whom Division has contracted to store the Data.

2. Data. Client may transmit Data to the Division System for storage on the Division System. Division shall dictate the format in which the Data must be submitted to the Division System. Client shall submit the Data to Division only in this approved format. The Data will be available to and may be accessed by the Division. It is Client's responsibility to ensure that the Data does not contain any confidential or proprietary information of any third party. Client and Users may access Client Specific Data, and information and data on a given individual submitted by others to the Division System, only for the internal business purposes of Client.

3. Client Responsibilities. Client shall be responsible for purchasing all third party hardware, software, network equipment, network access services and other equipment or services necessary to access the Division System. Client acknowledges that its use of any third party hardware, software, equipment or services may be subject to the terms and conditions of a

separate agreement between Client and such third party. Client must provide and maintain a constant and stable Internet connection which can connect with the Server.

4. Security. Client shall notify Division of any unauthorized use of its Users' passwords or accounts or any other breach of security of which it becomes aware.

5. Term and Termination. This Agreement shall commence on the Effective Date and shall, unless earlier terminated pursuant to this Section, continue for a period of one (1) year from the Effective Date ("Initial Term"). At the expiration of the Initial Term, this Agreement shall automatically renew for additional one (1) year periods ("Renewal Terms"), unless one of the parties hereto notifies the other in writing at least thirty (30) days prior to the end of the Initial Term or any Renewal Term of its election to terminate this Agreement. If such written notice is given, then this Agreement shall terminate without further notice at the end of the Initial Term or Renewal Term in which such notice was given.

Division may terminate this Agreement in whole or in part at any time for any or no cause upon thirty (30) days advance written notice to Client. Division reserves the right to terminate this Agreement in whole or in part immediately upon notice to Client if Client breaches any material term of this Agreement.

6. Training, Technical Support and Maintenance Services. This Agreement does not obligate Division to provide Client support for any third party hardware, software, networking equipment, network services, or other equipment or services not provided by Division hereunder.

7. Ownership of Data. Client shall own all right, title and interest in and to the Data and all intellectual property rights therein. Client hereby authorizes Division to allow access to the Data on a given individual submitted by other clients to the Division System, only for internal business purposes of Client. The Data may be aggregated with data and information provided by other clients of Division as necessary. Division will not transfer, lease or sell Data without the prior written approval of Client.

8. Nature of Relationship. In performing their respective obligations hereunder, each of the parties shall operate as and have the status of an independent party and shall not act as or be an agent, partner, or employee of the other party. Neither party shall have any right or authority to assume or create any obligations of any kind or to make any representations or warranties on behalf of the other party, whether express or implied, or to bind the other party in any respect whatsoever. Nothing contained herein shall give or is intended to give any rights of any kind thereby creating a third party beneficiary thereto.

9. Indemnification by Client. Client shall be liable for and shall defend, indemnify and hold Division harmless from any liability, damages or loss and from any claims, suits, proceedings, demands, recoveries or expenses suffered by Division as a result of a breach of this Agreement by Client, including, but not limited to, any introduction of computer viruses or other technological measures that compromise the security of and information located within the Servers and/or the Division System.

10. Warranty Disclaimers and Limitation of Liability. DIVISION IS NOT LIABLE FOR ANY DEFECTS, MALFUNCTIONS, DELAYS, OR LOSSES DUE TO THIRD PARTY SOFTWARE, HARDWARE, EQUIPMENT OR SERVICES. THE DIVISION SYSTEM IS PROVIDED "AS IS" WITHOUT WARRANTY OF ANY KIND. DIVISION MAKES NO REPRESENTATIONS OR WARRANTIES REGARDING THE DIVISION SYSTEM. DIVISION EXPRESSLY DISCLAIMS ALL WARRANTIES INCLUDING ANY REGARDING MERCHANTABILITY, NON-INFRINGEMENT, FITNESS FOR A PARTICULAR PURPOSE, AND ANY IMPLIED WARRANTIES THAT MAY OTHERWISE ARISE AS A RESULT OF COURSE OF PERFORMANCE OR USAGE OF TRADE. DIVISION DOES NOT WARRANT THAT THE FUNCTIONS CONTAINED IN THE DIVISION SYSTEM WILL MEET CLIENT'S SPECIFIC REQUIREMENTS, OR THAT OPERATION OF THE DIVISION SYSTEM WILL BE UNINTERRUPTED OR ERROR FREE. DIVISION SHALL NOT BE LIABLE TO CLIENT FOR ANY DAMAGES WHATSOEVER, EVEN IF CLIENT CAN SHOW THAT IT HAS SUSTAINED DAMAGES. IN NO EVENT WILL DIVISION BE LIABLE FOR INDIRECT, INCIDENTAL, CONSEQUENTIAL OR SPECIAL DAMAGES OF ANY TYPE OR NATURE, EVEN IF DIVISION HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. DIVISION SHALL HAVE NO LIABILITY OR RESPONSIBILITY FOR PROBLEMS WITH THE DIVISION SYSTEM CAUSED BY ALTERATION OR MODIFICATION BY CLIENT OR FOR PROBLEMS ARISING OUT OF THE MALFUNCTION OF CLIENT'S OR ANY THIRD PARTY'S EQUIPMENT OR THIRD PARTY SOFTWARE.

11. Assignment. Client shall not assign this Agreement or any license hereunder without the prior express written consent of Division. Any other attempt to sublicense, assign or transfer this Agreement or the licenses granted hereunder shall be void. Merger or change in ownership of a party shall not be deemed to be an assignment.

12. Entire Agreement. This Agreement, together with any exhibits, constitutes the entire understanding between the parties with respect to the Division System, and may only be modified by a writing signed by both parties.

13. Severability. If any provision of this Agreement is found unenforceable, the remaining provisions shall continue in full force and effect.

14. Governing Law. This Agreement shall be governed by Indiana law. Any actions relating to this Agreement shall be brought and maintained only in the state of Indiana, and Client consents to exclusive venue and jurisdiction therein and waives any right to object to jurisdiction or venue.

15. Force Majeure: In the event an act of government, war conditions, fire, flood, terrorism, labor action or act of God prevents either party from performing in accordance with the provisions of this Agreement, except for payment obligations of Client, such non-performance shall be excused and shall not be considered a breach or default so long as the said condition prevails.

16. Notices. Any notice required or permitted by this Agreement shall be in writing and shall be sent by Certified Mail, return receipt requested and postage prepaid or by national commercial overnight courier to the address specified herein or such other address as either party may in the future specify in writing to the other:

To Division:	To Client:
STATE COURT ADMINISTRATION	West Lafayette Police Department
30 S. MERIDIAN STREET	711 West Navajo Drive
SUITE 500	West Lafayette, Indiana 47906
INDIANAPOLIS, INDIANA 46204	Attn: Captain John T. Walker

IN WITNESS WHEREOF, the parties hereto execute and deliver this Application Division Agreement in counterparts as of the Effective Date.

Indiana Supreme Court,
through its Division of State Court Administration
("Division")

("Client")

By:

By:

Signature

Signature

DIRECTOR + COORDINATOR

FOR STATE COURT TECHNOLOGY

Printed Name and Title

Jason L. Dombkowski, Chief

Printed Name and Title

July 8, 2008

May 19, 2008

Date

DTF MOU.pdf

TIPPECANOE COUNTY DRUG ENFORCEMENT AGREEMENT

OBJECTIVE:

The five police agencies in Tippecanoe County, Indiana desire to expand the cooperative efforts of Law Enforcement to provide the citizens of Tippecanoe County with increased cooperative drug enforcement. It is the intent of the undersigned agencies to expand the cooperative effort by combining resources, intelligence information, equipment and personnel to investigate and enforce the controlled substance and the laws of the State of Indiana as well as other related criminal laws.

EXECUTIVE BOARD:

A Tippecanoe County Drug Task Force (hereafter referred to as Drug Task Force (DTF) Executive Board shall be established to govern the direction of the Drug Task Force and to determine the policies and procedures. The Executive Board shall consist of the participating agencies' department head or their designee. The Task Force Coordinator shall meet with the Executive Board on a monthly basis unless otherwise determined by the Executive Board.

ASSIGNMENT OF PERSONNEL:

Participating agencies may assign officers or support staff to full-time duty when such duties are consistent with the purpose of this agreement. Personnel shall be assigned on a temporary basis by the head of their respective agency or their designee. Initially participating agencies are expected to commit personnel and resources for a period of one year, however, any participating agency may withdraw from this agreement at any time without recourse upon written notice to other participating agencies. Each agency shall identify a Supervising Officer who will serve as the conduit for the personnel assigned to the Task Force. The Executive Board will select a Drug Task Force Coordinator. The Drug Task Force Coordinator shall serve as the "Officer in Charge", coordinating activities, having responsibility for case management and task assignments as well as documenting time worked by each officer. Personnel matters that arise which are detrimental to the objectives of the Task Force shall be presented to the Executive Board by the Task Force Coordinator. Any member may be removed by a majority vote of the Executive Board.

WARRANT SERVICE:

Sufficient notice shall be given to the agency with specific jurisdiction prior to service of any warrant. Consideration shall be given to allow time for mandatory assignment of necessary uniformed officers to facilitate the warrant service. All Officers assigned to the Task Force shall follow their respective Department's policy regarding use of body armor during the service of all warrants. In the event of warrantless arrests or exigent circumstances surrounding the warrant service, the agency with primary jurisdiction shall be notified as soon as feasible and prior to any news release.

NEWS RELEASES:

The Task Force Coordinator shall coordinate all news releases with the Executive Board or Departmental designee. News releases pertaining to Task Force investigations shall be released as the result of cooperative investigation among participating agencies. Each Agency shall promptly receive a written copy of all news releases.

ASSIGNMENT OF CASES OR REQUESTS FOR ASSISTANCE:

Any participating agency may request assistance with an investigation. All participating agencies will receive balanced assistance based on Department priorities, current Task Force workload, and available resources. No request for assistance shall be denied due to apparent scope of the investigation or anticipated penalties. Requests for assistance from non-participating agencies outside of Tippecanoe County shall require prior Executive Board approval by majority vote.

CITIZEN COMPLAINTS:

All complaints issued against an officer assigned to the Task Force shall be immediately forwarded to the officer's Supervising Officer for departmental resolution. Any subsequent discipline shall be the responsibility of the officer's agency.

JURISDICTION:

Any sworn police officer assigned to the cooperative, herein referred to as the Tippecanoe County Drug Task Force, or Drug Task Force, shall, by means of existing mutual agreement, have the same police powers, duties and responsibilities anywhere in Tippecanoe County. The primary area of responsibility shall be Tippecanoe County.

SALARIES AND LIABILITIES:

Each participating agency shall continue full liability and responsibility for each member assigned to the Task Force and continue to pay their benefits and salary, including all overtime. In matters of liability resulting from actions taken by the Task Force, each member assigned to the Task Force shall be considered under continuous employment of their respective agency.

REPORTS/EVIDENCE:

Investigative responses shall be prepared in accordance with directions of the Tippecanoe County Prosecutor's Office. All case reports generated by the Task Force shall be available to a participating agency upon request. All evidence collected by members of the Task Force shall be collected, maintained, and processed in accordance with Indiana State Police Laboratory guidelines. Property will be controlled, inspected, and disposed of according to Indiana law.

EQUIPMENT:

Participating agencies shall provide and maintain necessary equipment assigned to Task Force personnel. Participating agencies agree to share equipment and technical services to enhance the purpose of the Task Force. Other sources such as federal grants, state funding, may be sought to augment equipment and services provided by participating agencies. A detailed inventory of equipment provided shall be furnished to the Task Force Coordinator by each participating agency.

DISTRUBITION OF PROCEEDS AND DISSOLUTION:

Any proceeds or items obtained through the cooperative efforts of the Drug Task Force shall be liquidated or returned to the agency upon dissolution of this Task Force. Items that enhance the ability of the Task Force to obtain its objective may be used jointly by the Task Force. Agencies withdrawing before dissolution may recover their supplied equipment at the time of their withdrawal.

AUTHORIZING SIGNATURES:

Whereas, I, the undersigned, have reviewed this proposed Task Force agreement and believe it will serve as a means to provide more effective enforcement of narcotic and controlled substance laws, I hereby affix my signature indicating my agency's approval and support of forming the Tippecanoe County Drug Task Force.

Prosecuting Attorney for Tippecanoe County

Date

Lafayette Police Department, Chief

Date

West Lafayette Police Department, Chief

Date

Tippecanoe County Sheriff Department, Sheriff

Date

Purdue Police Department, Chief

Date

**MOU between WLPD and WLCSC regarding
Employment of Off Duty Officers.pdf**

AGREEMENT

Made as of the ____ day of _____, 2004, by and between West Lafayette Community School Corporation, hereinafter referred to as "School Corporation," and the West Lafayette Police Department, hereinafter referred to as "Police Department."

Whereas, the School Corporation wishes to hire off duty police officers to provide security services for the School Corporation; and

Whereas, the Police Department is willing to provide off duty police officers to provide said services;

Now therefore, in consideration of the premises and the covenants and agreements herein, the parties agree as follows:

Purpose. The School Corporation wishes to hire off duty police officers of the Police Department to provide security services to protect the persons and property of students, staff and visitors to the schools of the School Corporation; and the Police Department is willing to provide off duty police officers to provide said services for the School Corporation. All such police officers are hereinafter referred to as "Security Officers."

Services Provided. The Police Department shall make every effort to provide one Security Officer each day that school is in session to provide security services for the School Corporation. Said services shall principally be performed at the West Lafayette Junior/Senior High School, hereinafter referred to as "Junior/Senior High School," but may be provided at other schools of the School Corporation.

Security Officers shall also provide security services for student activities and events at the request of the Junior/Senior High School Principal. The Junior/Senior High School Principal shall make a request for Security Officers to the Police Department not less than one week prior to the date of the event. The number of Security Officers needed and the times they are needed shall be designated at the time of the request.

Duties. The Security Officers shall generally perform the security duties set forth in the Security Officer Duties attached hereto as Exhibit A and made a part hereof. Said duties may be amended from time to time to meet the security needs of the School Corporation. Security Officers shall perform the duties pursuant to the Security Officer Guidelines attached hereto as Exhibit B and made a part hereof.

Security Officers shall inform the Junior/Senior High School Principal or other school administrator if it becomes necessary for him or her to leave the school campus during the time he or she is providing security services.

Revised 08/29/07

/

Coordination of Services. The Chief of Police of the Police Department or his or her designee shall coordinate the Security Officers who shall provide security services for the School Corporation. The Police Department shall provide the Junior/Senior High School Principal with the names and dates of the off duty Security Officers who shall provide security services to the School Corporation by 8:00 a.m. on Friday for the following week. Each Security Officer who will provide security services for the School Corporation shall be given a copy of the Security Officers Duties and Security Officer Guidelines attached hereto as Exhibits A and B, respectively.

The Security Officers shall work under the supervision of the School Principal or his or her designee. The School Principal or his or her designee shall determine the locations, times at such locations, and any specific security duties that the Security Officers shall perform. At the beginning of each shift the Security Officers who will provide security services shall sign-in at the Junior/Senior High School office. At the end of each shift the Security Officers shall sign-out at the Junior/Senior High School office. For planning purposes the Police Department and each Security officer shall be provided a school calendar. The Police Department and the Security officers scheduled to be on duty shall be advised of weather or other emergency communications.

If a Security Officer assigned to provide security services is unable to work or will arrive late, he or she shall so inform the School Corporation by leaving a message at one of the Junior/Senior High School's Administrative Offices at least one-half hour before the beginning of his or her shift. The Security Officer shall try to arrange for a replacement if he or she is not able to work a scheduled shift.

Time of Services. On all regular school days, Security Officers shall provide security services from 7:30 a.m. to 3:30 p.m. Security Officers will provide services on scheduled partial school days from 7:30 a.m. to 12:45 p.m. When school is delayed due to weather conditions, Security Officers shall provide services from 9:30 a.m. to 3:30 p.m.

Lunch/Break Schedule. Each Security Officer shall have 30 minutes off duty during each shift worked. This time can be taken in two 15 minute periods or one 30 minute period. The off-duty time can only be taken between 9:00 a.m. to 11:00 a.m. or 2:00 p.m. to 3:00 p.m. Security Officers should not leave school property during off-duty periods without the prior written consent of the Junior/Senior High School Principal.

Security Identification. Security Officers shall wear shirts or other apparel provided by the School Corporation at all times while performing security services. In addition, the Security Officers may wear fanny packs to carry any items needed to provide security services. The fanny packs shall not be provided by the School Corporation.

Communications. The Security Officers shall carry and use school communication compatible radios at all times while providing security services.

Security Office. The School Corporation will designate space for a security office at the Junior/Senior High School. A computer will be available in that office to allow Security Officers to monitor any video security system as necessary or appropriate.

Respect. It is a policy of the School Corporation that employees act professionally and with respect when interacting with students, other staff, visitors and members of the community. According, under no circumstances should Security Officers make any racial or sexual remarks, use profanity, or behave disrespectfully toward any student, staff, visitor or person in the community while performing security services for the School Corporation.

Privacy/Confidentiality. Security Officers are subject to the privacy as provided under (FERPA) and pursuant to information/confidentiality policies established by the Board of School Trustees of the School Corporation. A copy of Board Policy No. 8350 is attached hereto. Security Officers will provide no information concerning any student, staff member, or incident to any unauthorized person or representative of the media. All questions regarding any student, staff member or incident shall be directed to the Junior/Senior High School Principal for response.

Student Questioning. Security Officers' questioning of students should be conducted with the building principal or his or her designee present. A school administrator will try to contact a parent or guardian before questioning, if possible. Questioning of students should be conducted in a professional manner. A written report shall be made as soon as possible after the questioning is complete. The report shall be given to the building principal.

Searches. Security Officers are considered contract employees of the School Corporation and as such are authorized to act at the direction of the building principal or his or her designee in assisting with searches of students and their property. All searches, including those of student lockers, other personal property or the person must be conducted in the presence of the building principal or his or her designee. Strip searches are prohibited.

Use of Force. Security Officers may use reasonable force to re-establish order in the event of a disturbance. The definition of reasonable force shall follow the Police Department guidelines. The use of physical force shall only be used to restrain persons for the safety of others. Use of force will be the last option used to re-establish order.

Use of Weapon. A weapon may be used only as a last resort and only when the life of a student, staff, visitor or the Security Officer is threatened.

Incident Review. Security Officers shall prepare a report of all incidents occurring during their shifts. If the incident involves one or more students, the report shall be made on the school disciplinary form or incident report. All such reports shall be given to the building principal.

If force is used during an incident, the Security Officer(s) shall prepare a report including a written statement from each person involved in the incident. The Police Department shall review the incident and make a determination as to whether reasonable force was used. A final report shall be made by the Police Department to the building principal and the Security Officer.

Daily Log. Security Officers shall maintain a record of pertinent information that occurred during their shifts that may need to be monitored by other Security Officers.

Time Sheets. The off-duty Security Officers providing security services shall be considered employees of the School Corporation. The work week shall begin at 12:00 a.m. on Sunday and end at 11:59 p.m. on Saturday. The Security Officers shall follow the payroll procedures as provided at the Principal's office and submit their time sheets accordingly.

Payment. Security Officers shall be paid \$25.00 per hour. The Security Officers shall be paid by the School Corporation on the 5th and 20th of each month. Paychecks can be picked up by the Security Officers at the business office between 8:00 a.m. and 4:00 p.m. on these dates. If they are not picked up they will be placed in the officer's department mailbox.

WEST LAFAYETTE COMMUNITY SCHOOL CORPORATION

Name:

Its _____

WEST LAFAYETTE POLICE DEPARTMENT

Daniel L. Martin

Name:

Its _____

Exhibit A

Security Officer Duties

On a regular school day the following locations are to be closely monitored at the following times:

- 7:30 a.m. - 8:30 a.m.: Grant Street bus drop-off, Leslie Street vehicles and pedestrian traffic, south parking lot and west drive.
- 5 minute passing times between each class period.
- 11:30 a.m. - 12:45 p.m.: Outside the West Lafayette Junior/Senior High School building ("Building") as Junior High students leave and return from lunch.
- 12:45 p.m. - 2:00 p.m.: Outside the Building, particularly in the south parking lot as High School students leave and return from lunch.
- 2:30 p.m. - 3:30 p.m.: Grant Street bus pick-up, Leslie Street vehicle and pedestrian traffic, south parking lot and west drive.

General duties throughout the school day:

- Monitor hallways, locker areas, and cafeteria whenever students are present.
- Serve as a quiet deterrent for students who may choose to use or possess or use illegal drugs or alcohol before coming to school or while at school.
- Assist school administrators in assessing situations with students suspected of being under the influence of illegal drugs or alcohol at school or on school property.
- Serve as a deterrent to student fights/conflicts and respond appropriately to conflicts that do occur.
- Assist administrators with monitoring school activity using security cameras.
- Assist administrators with school attendance enforcement and student truancy.
- Monitor for valid school-issued permits for staff and student parking on school property.
- Conduct security checks of all 15+ entry points to the Building.
- Check loading docks and fire lanes for safety hazards and illegal parking.
- Serve in a resource capacity with teacher in-service training concerning issues of school safety.
- Serve in a resource capacity with classroom teachers whose curriculum involves topics relating to the duties of a police officer including substance abuse, safety, law, and careers in law enforcement.
- Performs other duties as assigned by the School Principal.

Exhibit B

West Lafayette School Corporation Security Officer Guidelines

Introduction

The information contained herein should serve as guidelines for security personnel in performing security duties for the West Lafayette Community School Corporation ("School Corporation"). These guidelines are to be followed whenever practicable. However, it is understood that in the event of extreme or emergency conditions, it may be necessary to deviate from these guidelines to protect the safety and well being of the students, staff and visitors of the School Corporation.

Purpose

The intent of the School Corporation is to work in partnership with the West Lafayette Police Department ("Police Department") to provide security for the schools in the School Corporation. The purpose of security is to make the schools safe and provide protection to students, staff and visitors.

Duties

Security officers shall perform the duties set forth on Exhibit A attached hereto. Said duties shall principally be provided on the Junior/Senior High School campus.

Duty Hours

On all regular school days, security officers shall be provided security services from 7:30 a.m. to 3:30 p.m. Security officers shall provide services on scheduled partial school days from 7:30 a.m. to 12:45 p.m. When school is delayed due to weather conditions, security officers shall provide security services from 9:30 a.m. to 3:30 p.m.

For planning purposes the Police Department and each Security officer shall be provided a school calendar. The Police Department and the Security officers scheduled to be on duty shall be advised of weather or other emergency communications.

Lunch/Break Schedule

Each security officer shall have 30 minutes off duty during each shift worked. This time can be taken in two 15 minute periods or one 30 minute period. The off duty time can only be taken between 9:00 a.m. to 11:00 a.m. or 2:00 p.m. to 3:00 p.m. Security officers should not leave school property during off duty periods without the prior written consent of the Junior/Senior High School principal.

Accountability

The security officers shall work under the supervision of the School Principal. At the beginning of each shift the security officers who will provide security services shall sign in at the Junior/Senior High School office. At the end of each shift the security officers shall sign out at said office. The School Principal shall determine the locations, times at such locations, and any specific security duties that the security officers shall perform.

Security officers shall inform the Junior/Senior High School Principal or other school administrator if it becomes necessary for him or her to leave the School campus during a shift.

If a Security officer assigned to provide security services is unable to work or will arrive late, he or she shall so inform the School Corporation by leaving a message at one of the Junior/Senior High School's Administrative Offices at least one-half hour before the beginning of the shift. The security officer shall try to arrange for a replacement if he or she is not able to work a scheduled shift. The telephone number for the Junior High is 746-0430 and the telephone number for the Senior High is 746-0400.

Security Office

The School Corporation will designate space for a security office at the Junior/Senior High School. A computer will be available in that office to allow security officers to monitor the video security system as necessary or appropriate.

Communication

The Security Officers shall carry and use school communication compatible radios at all times while providing security services.

Security Identification

Security officers shall wear shirts or other apparel provided by the School Corporation at all times while performing security services. In addition, the security officers may wear fanny packs to carry any items needed to provide security services. The fanny packs shall not be provided by the School Corporation.

Respect

It is a policy of the School Corporation that employees act professionally and with respect when interacting with students, other staff, visitors and members of the community. Accordingly, under no circumstances should security officers make any racial or sexual remarks, use profanity, or behave disrespectfully toward any student, staff, visitor or person in the community while performing security services for the School Corporation.

Privacy/Confidentiality

Security officers are subject to the privacy of information/confidentiality policies established by the Board of School Trustees of the School Corporation. A copy of Board Policy No. 8350 is attached hereto. Security officers will provide no information concerning any student, staff member, or incident to any unauthorized person or representative of the media. All questions regarding any student, staff member or incident shall be directed to the Junior/Senior High School Principal for response.

Student Questioning

Security officers' questioning of students should be conducted with the building principal or his or her designee present. A school administrator will try to contact a parent or guardian before questioning, if possible. Questioning of students should be conducted in a professional manner. A written report shall be made as soon as possible after the questioning is complete. The report shall be given to the building principal.

Searches

Security officers are considered contract employees of the School Corporation and as such are authorized to act at the direction of the building principal or his or her designee in assisting with searches of students and their property. All searches, including those of student lockers, other personal property or the person must be conducted in the presence of the building principal or his or her designee. Strip searches are prohibited.

Use of Force

Security officers may use reasonable force to re-establish order in the event of a disturbance. The definition of reasonable force shall follow the Police Department guidelines. The use of physical force shall only be used to restrain persons for the safety of others. Use of force will be the last option used to re-establish order.

Use of Weapon

A weapon may be used only as a last resort and when the life of a student, staff, visitors or the security officer is threatened.

Incident Review

Security officers shall prepare a report of all incidents occurring during their shifts. If the incident involves one or more students, the report shall be made on the school disciplinary form or incident report. All such reports shall be given to the building principal.

If force is used during an incident, the security officer(s) shall prepare a report including a written statement from each person involved in the incident. The Police Department shall review the incident and make a determination as to whether reasonable force was used. A final report shall be made by the Police Department to the building principal and the security officer.

Daily Log

Security Officers shall maintain a record of pertinent information that occurred during their shifts that may need to be monitored by other Security Officers.

Time Sheets

The off-duty Security Officers providing security services shall be considered employees of the School Corporation. The work week shall begin at 12:00 a.m. on Sunday and end at 11:59 p.m. on Saturday. The Security Officers shall follow the payroll procedures as provided at the Principal's office and submit their time sheets accordingly.

Payment

Security Officers shall be paid \$25.00 per hour. The Security Officers shall be paid by the School Corporation on the 5th and 20th of each month. Paychecks can be picked up by the Security Officers at the business office between 8:00 a.m. and 4:00 p.m. on these dates. If they are not picked up they will be placed in the officer's department mailbox.

Questions and Concerns

The School Corporation invites your questions, concerns or suggestions relating your employment or the security and safety in the schools. They should be directed to Ron Shriner, Assistant Principal of the Junior/Senior High School, or in his absence to any of the other administrators listed below.

Chain of Command - WLCSC

Larry Allen, Principal	746-0400 ext. 304
Bob Troyer, Assistant Principal	746-0404 ext. 305
Ron Shriner, Assistant Principal	746-0400 ext. 308
Brock Touloukian, Athletic Director	746-0435 ext. 347

Other Contact Personnel - WLCSC

Carol Lancaster, School Nurse	746-0400, ext. 313
Rocky Killion, Superintendent	746-1641
Medarda Bauer, Curriculum Director	746-1641
Ken Barnes, Business Manager	746-1630
Larry Reed, Maintenance Director	464-3303
Btta Wesley, Office Secretary	746-0400

20

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Date:

policy

BOARD OF SCHOOL TRUSTEES
WEST LAFAYETTE COMMUNITY
SCHOOL CORPORATION

OPERATIONS
8350/page 1 of 1

CONFIDENTIALITY

It is the policy of the School Board that when the Corporation receives in trust information identified to be confidential (whether such information is confidential by the Indiana Code, Common Law, Privilege Case Law or Federal Law), the Corporation will maintain the confidentiality of said information to prohibit its unauthorized disclosure.

This policy applies to identified confidential information.

Although the policy is based upon equal dignity and held "in trust" legal theories, the Corporation may be required to obtain court protection by:

- A. denying requests for release of such information absent subpoena or court order, or
- B. pursuing motions to quash or protective orders to prohibit unauthorized disclosure.

29 U.S.C., Section 1232 g, 34 C.F.R. 99

Revised/Approved 12/06/2006

MOU with Purdue Visual Analytics for Command Control and Interoperability Environments.pdf

**Memorandum of Understanding
Between
West Lafayette Police Department
And
Purdue University on behalf of the
Visual Analytics for Command, Control & Interoperability Environments
(A DHS Center of Excellence)**

I. Purpose

This Memorandum of Understanding (Memorandum) establishes an agreement between the West Lafayette Police Department (WLPD) and Purdue University on behalf of the Visual Analytics for Command, Control and Interoperability Environments (VACCINE) to permit the sharing of data, information and materials needed to conduct projects with the goals to coordinate and to improve WLPD's analysis of law enforcement data to promote evidence-based policing, prospective policing, and results-oriented policing.

II. Services

WLPD, at its sole discretion, with the interest of facilitating the goals above shall control the information, materials, and data released to the parties of this Memorandum. All proposed research activities and projects utilizing data, information, and materials shared by WLPD pursuant to this Memorandum shall be approved in writing by the WLPD Chief of Police prior to the sharing of the data, information, or other materials. VACCINE shall use that data, information, or other materials shared by WLPD pursuant to this Memorandum solely for United States Department of Homeland Security (DHS)-approved research activities or projects. All other research activities or projects for which WLPD data, information, or material are desired shall be requested and approved by the WLPD Chief of Police.

Both Parties acknowledge that VACCINE, mandated by the prime contract agreement between Purdue University and the DHS, is not to use or generate Sensitive Information during the course of VACCINE project as defined as:

- **Sensitive Information** means any information, the loss, misuse, disclosure, or unauthorized access to or modification of which could adversely affect the national or homeland security interest, or the conduct of federal programs, or the privacy to which individuals are entitled under section 552a of title 5, United States Code (the Privacy Act). This definition includes, but is not limited to, the following categories of information:
 - ✓ Protected Critical Infrastructure Information (PCII). The PCII program is set out in the Critical Infrastructure Act of 2002 (CII Act)(Title II, Subtitle B, of the Homeland Security Act of 2002, Public Law 107-296, 196 Stat. 2135, 6 USC 101 et seq.), as amended, the implementing regulations thereto (6 CFR Part 29), as amended and the applicable PCII Procedures Manual, as amended, and with any such requirements that may be officially communicated to Purdue University by the PCII Program Manager or the PCII Program Manager's designee.
 - ✓ For Official Use Only (FOUO) information. Information that has been "designated" as FOUO (e.g., unclassified information of a sensitive nature and the unauthorized disclosure of which

could adversely impact a person's privacy or welfare, the conduct of federal programs, or other programs or operations essential to the national or homeland security interest).

- ✓ Information that has been "designated in writing as 'sensitive' or subject to other controls, safeguards or protections in accordance with subsequently adopted homeland security information handling procedures."
- ✓ Information subject to export control as regulated by the International Traffic in Arms Regulation (22 CFR 120-130) and the Export Administration Regulations (15 CFR 730-774).

If such information is to be provided to VACCINE or its collaborative partners, VACCINE's Data Custodian (as identified below) must be made aware in advance that this information meets a definition provided above and given the opportunity to agree to or decline receiving such information. Sensitive Information must be marked accordingly and handled/sent in a lawful manner (per handling requirements defined within federal regulations). Data Custodian shall be responsible for insuring that the receipt of the Sensitive Information does not violate the Sensitive Information Plan developed by VACCINE and approved by DHS.

In addition:

- A. All of the parties agree to work in these areas:
 - a. Find and develop additional sources of data to improve policing services, traffic activity, criminal investigations, intelligence analysis, tactical operations, and strategic planning and analysis.
 - b. Develop methods to be more effective, efficient, and timely in data collection and analysis
- B. VACCINE agrees to provide principal leadership in these areas:
 - c. VACCINE will work to improve visualization techniques and understanding to facilitate data-driven policy development and evidence-based programming that can improve policing services, traffic activity, criminal investigations, intelligence analysis, tactical operations, and strategic planning and analysis.
 - a. Provide leadership on the addition of visualization and analytics in the law enforcement environment
 - b. Data quality for public safety systems
 - c. Matching
 - d. Population-based data sources and analysis
- C. WLPD agrees to provide principal leadership in these areas:
 - a. Law Enforcement operations and strategy
 - b. Law Enforcement Data and Communication systems
 - c. Data quality and matching
 - d. Analysis and interpretation
- D. The Data Custodian for VACCINE shall be Timothy Collins.

III. Scope

The parties agree to the following:

- 1) This Memorandum will cover the period from July 1, 2009 through June 30, 2012.
- 2) This Memorandum will be governed by the laws of the State of Indiana.

- 3) This MOU will apply to all VACCINE partner universities pursuant to the flow-through requirements of the terms and conditions of DHS Cooperative Agreement No. 2009-ST-061-CI0001.

IV. Publication

Publication and presentation of research results are of fundamental importance to the Department of Homeland Security, Purdue University and VACCINE partner universities, faculty members, and their research programs. Therefore, WLPD shall permit Purdue University and the VACCINE partner universities the right to publish research results in recognized scientific journals and conference proceedings and present at conferences and other technical meetings.

For any use for which WLPD participation will be referenced, WLPD shall have the right of review and approval of the use, disclosure and the finished product prior to its publication. In the unlikely event that "sensitive information" (as defined in II) is provided, such review will also serve to assure that no sensitive, law enforcement sensitive, confidential or proprietary information is contained in the finished product. All such requests shall be made in writing and delivered to the WLPD Chief of Police. WLPD shall have sixty (60) days to review such requests and will respond in writing. If WLPD has not responded within sixty (60) days, the request shall be deemed approved.

Parties to this Memorandum shall seek out and explore joint publication opportunities. Scientific contributions by the participating parties to publications shall be appropriately recognized.

V. Confidentiality of Shared Data

The parties understand and agree that data, materials, and information disclosed pursuant to this Memorandum may contain confidential and protected information. The parties shall submit copies of their internal privacy and/or confidentiality policies to WLPD upon request.

The parties shall not publish or release the names of individuals or any facts tending to lead to the identification of individuals named in the data, materials, or other information disclosed by WLPD pursuant to this Memorandum. The parties guarantee that no information provided by WLPD pursuant to this Memorandum will be used for the purpose of follow-up contact with any suspects, victims, family, or witnesses unless expressly authorized by WLPD.

VI. Institutional Review Board Approval

Each VACCINE partner university participating in the Agreement shall be responsible for obtaining and maintaining the required approvals of their Institutional Review Boards (IRB). Proof of such approvals shall be submitted to VACCINE upon request.

VII. General Terms

This instrument contains the entire understanding between the parties with respect to the subject matter hereof, and any representation, promise, or condition in connection therewith not incorporated herein will not be binding on any party. This Memorandum does not supersede, preempt, or override any other existing agreements or memoranda between any of the parties hereto, and such agreements and/or memoranda continue in full force and effect. If any term of this Memorandum is held invalid or unenforceable, such term will be considered omitted from this Memorandum and will not affect the

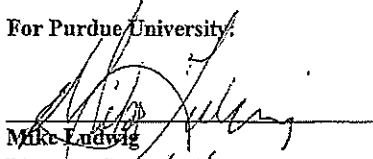
validity or enforceability of the rest of this Memorandum of Understanding. No modification to the terms of this Memorandum will be valid unless made in writing and signed by authorized representatives of the parties.

VIII. Termination

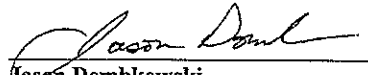
Each of the parties may terminate this Memorandum upon the provision of thirty (30) days written notice of intent to terminate to the other parties. Upon termination or expiration of this Memorandum, Purdue University and VACCINE partners shall cease using the data, materials, and other information shared by WLPD pursuant to this Memorandum for any purpose and shall destroy any copy of the data, materials, and other information held, as allowed by law.

IN WITNESS WHEREOF, the parties have, through their duly authorized representatives, entered into this Memorandum of Understanding. The parties, having read and understood the foregoing terms of this Memorandum do, by their respective signatures dated below, hereby agree to the terms thereof.

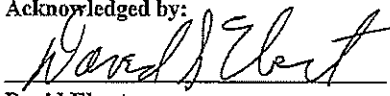
For Purdue University:


Mike Ludwig
Director, Sponsored Program Services
Date: 3/16/10

For WLPD:


Jason Dombkowski
Chief of Police
Date: 2/2/2010

Acknowledged by:


David Ebert
Director, VACCINE
Date: 3/15/10

MOU with FBI.pdf

JOINT TERRORISM TASK FORCE

STANDARD MEMORANDUM OF UNDERSTANDING

BETWEEN

THE FEDERAL BUREAU OF INVESTIGATION

AND

WINSTON-SALEM POLICE DEPARTMENT

(The Participating Agency)

PREAMBLE

The policy of the United States with regard to domestic and international terrorism is to deter, defeat, and respond vigorously to all terrorist attacks on our territory and against our citizens or facilities. Within the United States, the Department of Justice, acting through the Federal Bureau of Investigation (FBI), is the lead agency domestically for the counterterrorism effort.

In order to ensure that there is a robust capability to deter, defeat, and respond vigorously to terrorism in the U.S. or against any U.S. interest, the FBI recognizes the need for all federal, state, local, and tribal agencies that are involved in fighting terrorism to coordinate and share information and resources. To that end, the FBI believes that the creation of the FBI National Joint Terrorism Task Force (NJTTF) and Joint Terrorism Task Forces (JTTFs) embodies the objectives of the U.S. policy on counterterrorism as set forth in Presidential Directives.

FBI policy for the NJTTF and JTTFs is to provide a vehicle to facilitate sharing FBI information with the intelligence and law enforcement communities to protect the United States against threats to our national security, including international terrorism, and thereby improve the effectiveness of law enforcement, consistent with the protection of classified or otherwise sensitive intelligence and law enforcement information, including sources and methods. All NJTTF and JTTF operational and investigative activity, including the collection, retention and dissemination of personal information, will be conducted in a manner that protects and preserves the constitutional rights and civil liberties of all persons in the United States.

This Memorandum of Understanding (MOU) shall serve to establish the parameters for the detail of employees (Detailees or members) from the Participating Agency to the FBI-led JTTFs in selected locations around the United States.

Template Version 5/10/2015

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I. PURPOSE

- A. The purpose of this MOU is to outline the mission of the JTTF, and to formalize the relationship between the FBI and the Participating Agency, in order to maximize cooperation and to create a cohesive unit capable of addressing the most complex terrorism investigations.
- B. The MOU specifically represents the agreement between the FBI and the Participating Agency, which will govern the process by which employees of the Participating Agency are detailed to work with the FBI as part of the JTTF.
- C. This MOU is not intended, and should not be construed, to create any right or benefit, substantive or procedural, enforceable at law or otherwise by any third party against the parties, their parent agencies, the U.S., or the officers, employees, agents or other associated personnel thereof.

II. MISSION

The mission of the JTTF is to leverage the collective resources of the member agencies for the prevention, preemption, deterrence and investigation of terrorist acts that affect United States interests, and to disrupt and prevent terrorist acts and apprehend individuals who may commit or plan to commit such acts. To further this mission, the JTTF shall serve as a means to facilitate information sharing among JTTF members.

III. AUTHORITY

Pursuant to 28 U.S.C. ' 533, 28 C.F.R. ' 0.85, Executive Order 12333, as amended, National Security Presidential Directive (NSPD) 46/ Homeland Security Presidential Directive (HSPD) 15 and Annex II thereto, the FBI is authorized to coordinate an intelligence, investigative, and operational response to terrorism. By virtue of that same authority, the FBI formed JTTFs composed of other federal, state, local, and tribal law enforcement agencies acting in support of the above listed statutory and regulatory provisions.

[Participating agencies may include applicable authority for entering into this MOU.]

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IV. CONTROLLING DOCUMENTS

- A. Since the JTTF operates under the authority of the Attorney General of the United States, all JTTF participants must adhere to applicable Attorney General=s Guidelines and directives, to include the following, as amended or supplemented:
1. Attorney General=s Guidelines for Domestic FBI Operations;
 2. Attorney General=s Guidelines on Federal Bureau of Investigation Undercover Operations;
 3. Attorney General=s Guidelines Regarding Prompt Handling of Reports of Possible Criminal Activity Involving Foreign Intelligence Sources;
 4. Attorney General Memorandum dated March 6, 2002, titled AIntelligence Sharing Procedures for Foreign Intelligence and Foreign Counterintelligence Investigations Conducted by the FBI@;
 5. Attorney General=s Guidelines Regarding the Use of Confidential Informants;
 6. Attorney General=s Guidelines on the Development and Operation of FBI Criminal Informants and Cooperative Witnesses in Extraterritorial Jurisdictions;
 7. Attorney General=s Guidelines Regarding Disclosure to the Director of Central Intelligence and Homeland Security Officials of Foreign Intelligence Acquired in the Course of a Criminal Investigation; and
 8. Memorandum from the Deputy Attorney General and the FBI Director re: Field Guidance on Intelligence Sharing Procedures for [Foreign Intelligence] and [Foreign Counterintelligence] Investigations (December 24, 2002).
- B. All guidance on investigative matters handled by the JTTF will be issued by the Attorney General and the FBI. The FBI will provide copies of the above-listed guidelines and any other applicable policies for reference and review to all JTTF members. Notwithstanding the above, this MOU does not alter or abrogate existing directives or policies regarding the conduct of investigations or the use of special investigative techniques or controlled informants. The FBI agrees to conduct periodic briefings of the member agencies of the JTTF pursuant to all legal requirements and FBI policies.

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V. STRUCTURE AND MANAGEMENT OF THE TASK FORCE

A. MEMBERS

1. Each JTTF shall consist of a combined body of sworn and non-sworn personnel from the FBI and each Participating Agency. This MOU shall apply to Participating Agencies that join the JTTF subsequent to execution of this agreement.

B. PROGRAM MANAGEMENT, DIRECTION, AND SUPERVISION

1. In order to comply with Presidential Directives, the policy and program management of the JTTFs is the responsibility of FBI Headquarters (FBIHQ). The overall commander of each individual JTTF will be the Special Agent in Charge (SAC) or Assistant Director in Charge (ADIC), if assigned, of the FBI's local Field Division. The operational chain of command beginning at the highest level, in each FBI Field Division will be as follows: ADIC if assigned, SAC, Assistant Special Agent in Charge (ASAC), and Supervisory Special Agent [JTTF Supervisor].
2. Each FBI ADIC/SAC, through his or her chain-of-command, is responsible for administrative and operational matters directly associated with the Division's JTTF(s). Operational activities will be supervised by FBI JTTF Supervisors. Staffing issues are the responsibility of the FBI chain of command.
3. All investigations opened and conducted by the JTTF must be conducted in conformance with FBI policy, to include the above stated Controlling Documents. Each FBI ADIC/SAC, through his or her chain-of-command, will ensure that all investigations are properly documented on FBI forms in accordance with FBI rules and regulations. Any operational problems will be resolved at the field office level. Any problems not resolved at the field office level will be submitted to each agency's headquarters for resolution.
4. Each Participating Agency representative will report to his or her respective agency for personnel administrative matters. Each Participating Agency shall be responsible for the pay, overtime, leave, performance appraisals, and other personnel matters relating to its employees detailed to JTTFs. As discussed later herein at Paragraph XI, the FBI and the Participating Agency may provide for overtime reimbursement by the FBI by separate written agreement.

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5. Each JTTF member will be subject to the personnel rules, regulations, laws, and policies applicable to employees of his or her respective agency and also will adhere to the FBI's ethical standards and will be subject to the Supplemental Standards of Ethical Conduct for employees of the Department of Justice. Where there is a conflict between the standards or requirements of the Participating Agency and the FBI, the standard or requirement that provides the greatest organizational protection or benefit will apply, unless the organizations jointly resolve the conflict otherwise.
6. JTTF members are subject to removal from the JTTF by the FBI for violation of any provision of this MOU, the FBI's ethical standards, the Supplemental Standards of Ethical Conduct for employees of the Department of Justice, or other applicable agreements, rules, and regulations.
7. The FBI maintains oversight and review responsibility of the JTTFs. In the event of an FBI inquiry into JTTF activities by an investigative or administrative body, including but not limited to, the FBI's Office of Professional Responsibility or the FBI's Inspection Division, each Participating Agency representative to the JTTF may be subject to interview by the FBI.

C. PHYSICAL LOCATION AND SUPPORT:

1. The FBI will provide office space for all JTTF members and support staff. In addition, the FBI will provide all necessary secretarial, clerical, automation, and technical support for the JTTF in accordance with FBI guidelines and procedures. The FBI will provide all furniture and office equipment. Participating agencies may bring office equipment or furniture into FBI space with the approval of the FBI JTTF Supervisor and in compliance with FBI regulations.
2. The introduction of office equipment and furniture into FBI space by Participating Agencies is discouraged, as any such material is subject to examination for technical compromise, which may result in its being damaged or destroyed.

VI. SECURITY PROGRAM

A. CLEARANCES

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1. State, local, and tribal members of the JTTFs, as well as appropriate supervisory personnel responsible for these individuals, must apply for and receive a Top Secret/Sensitive Compartmented Information (TS/SCI) Security Clearance granted by the FBI. JTTF members from other federal agencies must obtain a Top Secret/SCI clearance from their agency and have this information passed to the FBI. No one will have access to sensitive or classified documents or materials or FBI space without a valid security clearance and the necessary Aneed-to-know.@ Pursuant to the provisions of Section 1.2 of Executive Order 12958, Detailees are required to have signed a nondisclosure agreement approved by the FBI's Security Division. Pursuant to federal law, JTTF members are strictly forbidden from disclosing any classified information to individuals who do not possess the appropriate security clearance and the need to know.
2. All JTTF management personnel must ensure that each participating JTTF officer or agent undertakes all necessary steps to obtain a TS/SCI clearance. Conversion of FBI counterterrorism and JTTF spaces to Sensitive Compartmented Information Facilities (SCIFs) is underway. This will require that all JTTF task force officers enhance their clearances to TS/SCI (SI, TK, Gamma, HCS-P).
3. Federal agency task force officers should contact their Security Officers and request and obtain the following SCI Clearances: SI, TK, Gamma, and HCS-P. If the parent agency refuses or is unable to provide the appropriate clearances, the FBI will request the task force officer's security file. If provided, the FBI will adjudicate SCI clearances. This action may involve a prohibitively long process and should be avoided.
4. Each Participating Agency fully understands that its personnel detailed to the JTTF are not permitted to discuss official JTTF business with supervisors who are not members of the JTTF unless the supervisor possesses the appropriate security clearance and the dissemination or discussion is specifically approved by the FBI JTTF Supervisor. Participating Agency heads will be briefed regarding JTTF matters by the SAC or ADIC, as appropriate, through established JTTF Executive Board meetings.
5. In accordance with the Director of Central Intelligence Directive (DCID) 6/4, entitled Personnel Security Standards and Procedures Governing Eligibility for Access to Sensitive Compartmented Information (SCI), the FBI will implement protocols to ensure Special Agent (SA) and Task Force Officers (TFO) assigned to Joint Terrorism Task Forces (JTTF) in the field

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and the National Joint Terrorism Task Force (NJTTF) at FBI Headquarters - Liberty Crossing 1, are in compliance with stated directive. In order to comply with DCID 6/4, all JTTF personnel, including FBI and non-FBI JTTF members and contractors who perform functions requiring access to FBI classified data networks and space, will be given counter-intelligence focused polygraphs. The FBI will recognize polygraph examinations conducted by outside federal agencies that meet the FBI's PSPP requirement. The FBI will make the final determination whether a polygraph examination meets the PSPP requirements.

6. All JTTF members must agree to submit to counter-intelligence focused polygraphs as part of the process for obtaining and retaining a Top Secret Security Clearance.

B. RESTRICTIONS ON ELECTRONIC EQUIPMENT

Personally owned Portable Electronic Devices (PEDs) including, but not limited to, personal digital assistants, Blackberry devices, cellular telephones, and two-way pagers are prohibited in FBI space unless properly approved. No personally owned electronic devices are permitted to operate within SCIFs as outlined in DCI Directive 6/9 and existing Bureau policy. All other non-FBI owned information technology and systems (such as computers, printers, fax machines, copiers, PEDs, cameras, and media including diskettes, CDs, tapes) require FBI approval prior to introduction, operation, connection, or removal from FBI spaces to include SCIFs. Additionally, if approved by the FBI Security Officer, these systems must operate in compliance with the FBI's policies, guidelines, and procedures.

VII. DEPUTATION

Non-federal members of the JTTF who are subject to a background inquiry and are sworn law enforcement officers will be federally deputized while detailed to the JTTF. The FBI will secure the required authorization for their deputation. Deputation of these individuals will ensure that they are able to assist fully in investigations in compliance with applicable federal statutes. On occasion, investigations may be conducted outside of the JTTF's assigned territory. Deputation will allow non-federal members of the JTTF to exercise federal law enforcement authority throughout the United States.

Under the terms of this MOU, all Participating Agencies agree that non-sworn personnel detailed to the JTTF will not: (1) participate in law enforcement activities, (2) carry a weapon; or (3) participate in the execution of search/arrest warrants.

VIII. STAFFING COMMITMENT

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- A. In view of the need for security clearances and continuity of investigators, all personnel detailed to the JTTF should be expected to be detailed for a period of at least two (2) years. This MOU imposes no maximum limit as to the time that any individual may remain a member of the JTTF. All non-FBI members of the JTTF must adhere to the same rules and regulations as FBI employees with regard to conduct and activities while in FBI space, while operating FBI vehicles, and while conducting JTTF business. All Task Force members detailed from other federal agencies are responsible for maintaining an appropriate case load, as directed by JTTF management.
- B. All investigators detailed to the JTTF will be designated either full-time or part-time. The operational needs of the JTTF require that any assignments to special details, or duties outside of the JTTF to full-time JTTF members be coordinated with the FBI JTTF Supervisor. Though each JTTF member will report to his or her respective Participating Agency for personnel matters, he or she will coordinate leave with the JTTF's FBI JTTF Supervisor.
- C. During periods of heightened threats and emergencies, the JTTFs may be expected to operate 24 hours per day, seven days per week, for extended periods of time. To function properly, the JTTF depends upon the unique contributions of each Participating Agency. Accordingly, during these periods, each Participating Agency member will be expected to be available to support JTTF activities.

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IX. RECORDS, REPORTS AND INFORMATION SHARING

- A. All JTTF materials and investigative records, including any Memorandum of Understanding, originate with, belong to, and will be maintained by the FBI. All investigative reports will be prepared by JTTF personnel solely on FBI forms. All information generated by the FBI or the JTTF will be controlled solely by the FBI and may not be removed from FBI space without the approval of the JTTF Supervisor. Dissemination, access or other use of JTTF records will be in accordance with Federal law, Executive Orders, and Department of Justice and FBI regulations and policy, including the dissemination and information sharing provisions of the FBI Intelligence Policy Manual. As FBI records, they may be disclosed only with FBI permission and only in conformance with the provisions of federal laws and regulations, including the Freedom of Information Act, 5 U.S.C. Section 552, and the Privacy Act of 1974, 5 U.S.C. Section 552a, as well as applicable civil and criminal discovery privileges. This policy includes any disclosure of FBI information, including JTTF materials and investigative records, to employees and officials of a Participating Agency who are not members of a JTTF, which must be approved by the JTTF supervisor. All electronic records and information, including, but not limited to, systems, databases and media, are also regulated by FBI policy. JTTF members may request approval to disseminate FBI information from the JTTF Supervisor.
- B. Each Participating Agency agrees to have its Detailees to the JTTF execute an FD-868, or a similar form approved by the FBI. This action obligates the Detailee, who is accepting a position of special trust in being granted access to classified and otherwise sensitive information as part of the JTTF, to be bound by prepublication review to protect against the unauthorized disclosure of such information.
- C. The participation of other federal, state, local, and tribal partners on the JTTF is critical to the long-term success of the endeavor. Articulating the level of effort for these partnerships is a key measure of the JTTF's performance. Accordingly, all task force members will be required to record their workload in the Time Utilization Recordkeeping (TURK) system used by the FBI.

X. COORDINATION

- A. The Participating Agency agrees to not knowingly act unilaterally on any matter affecting the JTTF without first coordinating with the FBI. The parties agree that matters designated to be handled by the JTTF shall not knowingly be subject to non-JTTF or non-FBI intelligence, law enforcement, or operational efforts by the

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Participating Agency. Intelligence, law enforcement, and operational actions will be coordinated and cooperatively carried out within the JTTFs.

- B. JTTF criminal investigative procedures will conform to the requirements for federal prosecution. It is expected that the appropriate United States Attorney, in consultation with the FBI and affected JTTF partners, will determine on a case-by-case basis whether the prosecution of cases will be at the federal or state level, based upon which would better advance the interests of justice.

XI. FUNDING

This MOU is not an obligation or commitment of funds, nor a basis for transfer of funds. Even where one party has agreed (or later does agree) to assume a particular financial responsibility, written agreement must be obtained before incurring an expense expected to be assumed by another party. All obligations of and expenditures by the parties are subject to their respective budgetary and fiscal processes and availability of funds pursuant to all laws, regulations, and policies applicable thereto. The parties acknowledge that there is no intimation, promise, or guarantee that funds will be available in future years. The FBI and the Participating Agency may enter into a separate agreement to reimburse the Participating Agency for approved overtime expenses.

XII. TRAVEL

All JTTF-related travel of non-FBI personnel requires the approval of the appropriate JTTF Supervisor and Participating Agency authorization prior to travel. In order to avoid delay in operational travel, the Participating Agency will provide general travel authority to all of its participating employees for the duration of the employee's membership in the JTTFs. For domestic travel, each agency member will be responsible for appropriate notifications within his or her own agency, as well as standard FBI travel approvals and notification. The FBI will obtain FBIHQ authorization and country clearances for all JTTF members who are required to travel outside the United States. As noted above, the appropriate security clearance must be obtained prior to any international travel. The FBI will pay costs for travel of all members of the JTTFs to conduct investigations outside of the JTTF's assigned territory.

XIII. VEHICLES AND EQUIPMENT

- A. In furtherance of this MOU, employees of the Participating Agency may be permitted to drive FBI owned or leased vehicles for surveillance, case management and investigation in connection with any JTTF investigation. FBI vehicles must

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only be used for official JTTF business and only in accordance with applicable FBI rules and regulations.

- B. *[non-Federal entities only]* Any civil liability arising from the use of an FBI owned or leased vehicle by a Participating Agency task force member while engaged in any conduct other than his or her official duties and assignments under this MOU shall not be the responsibility of the FBI or the United States. To the extent permitted by applicable law, the Participating Agency will hold harmless the FBI and the United States for any claim for property damage or personal injury arising from any use of an FBI owned or leased vehicle by a Participating Agency JTTF member which is outside of the scope of his or her official duties and assignments under this MOU.
- C. For official inventory purposes, all JTTF equipment including badges, credentials and other forms of JTTF identification subject to FBI property inventory requirements will be produced by each JTTF member upon request. At the completion of the member=s assignment on the JTTF, or upon withdrawal or termination of the Participating Agency from the JTTF, all equipment will be returned to the supplying agency.

XIV. FORFEITURE

The FBI shall be responsible for the processing of assets seized for federal forfeiture in conjunction with JTTF operations, as provided by these rules and regulations. Asset forfeitures will be conducted in accordance with federal law and the rules and regulations set forth by the U.S. Department of Justice and the FBI. Forfeitures attributable to JTTF investigations may be distributed among the Participating Agencies in JTTF-related operations at the discretion of the FBI.

XV. HUMAN SOURCES

- A. All human sources developed through the JTTF will be handled in accordance with the Attorney General=s and the FBI=s guidelines, policies and procedures.
- B. All human sources developed during the course of any JTTF investigation shall be operated with all appropriate FBI suitability paperwork completed prior to use. All source debriefings or written products of information obtained from any human source will use FBI document format and handling procedures.

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- C. The FBI, as permitted by federal law, agrees to pay reasonable and necessary human source expenses incurred by the JTTF. All expenses must be approved by the FBI before they are incurred. No payments may be made to JTTF human sources without prior FBI approval.

XVI. MEDICAL

A. All Participating Agencies will ensure that detailed JTTF members are medically qualified according to their agencies' standards to perform law enforcement duties, functions and responsibilities.

B. To ensure protection for purposes of the Federal Employees' Compensation Act (FECA), JTTF members should be detailed to the FBI consistent with the provisions of the Intergovernmental Personnel Act (IPA), 5 U.S.C. ' 3374(d). This Act stipulates that "[a] State or local government employee who is given an appointment in a Federal agency for the period of the assignment or who is on detail to a Federal agency and who suffers disability or dies as a result of personal injury sustained while in the performance of his duty during the assignment shall be treated . . . as though he were an employee as defined by section 8101 of this title who has sustained the injury in the performance of duty." Other provisions of federal law may extend FECA benefits in more limited circumstances. The Department of Labor's Office of Workers' Compensation Programs is charged with making FECA coverage determinations and is available to provide guidance concerning specific circumstances.

XVII. TRAINING

All JTTF members are required to attend FBI legal training in compliance with FBI regulations and any other training deemed necessary by the FBI chain of command. The FBI is responsible for the costs of such training. The Participating Agency will bear the costs of any training required of its own employees detailed to the JTTF.

XVIII. DEADLY FORCE AND SHOOTING INCIDENT POLICIES

Members of the JTTF will follow their own agency's policy concerning use of deadly force.

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XIX. DEPARTMENT OF DEFENSE COMPONENTS

The Posse Comitatus Act, 18 U.S.C. § 1385, prohibits the Army and Air Force (Department of Defense regulations now restrict the activities of all branches or components of the Armed Services under this Act) from being used as a posse comitatus or otherwise to execute the laws entrusted to civilian law enforcement authorities. The restrictions of the Act do not apply to civilian employees of the Department of Defense who are not acting under the direct command and control of a military officer. Other statutory provisions specifically authorize certain indirect and direct assistance and participation by the military in specified law enforcement functions and activities. All Department of Defense components (except strictly civilian components not acting under direct command and control of a military officer) who enter into this agreement, shall comply with all Department of Defense regulations and statutory authorities (describing restrictions, authorizations and conditions in support of law enforcement) including but not limited to Department of Defense Directives 5525.5, and 3025.15, Chapter 18 of Title 10 of the United States Code dealing with military support for civilian law enforcement agencies and any other or subsequent rules, regulations, and laws that may address this topic or that may amend, or modify any of the above provisions. This MOU shall not be construed to authorize any additional or greater authority (than already described) for Department of Defense components to act in the support of law enforcement activities.

XX. MEDIA

All media releases will be mutually agreed upon and jointly handled by the member Participating Agencies of the appropriate JTTF. Press releases will conform to DOJ Guidelines regarding press releases. No press release will be issued without prior FBI approval.

XXI. LIABILITY

The Participating Agency acknowledges that financial and civil liability, if any and in accordance with applicable law, for the acts and omissions of each employee detailed to the JTTF remains vested with his or her employing agency. However, the Department of Justice (DOJ) may, in its discretion, determine on a case-by-case basis that an individual should be afforded legal representation, legal defense, or indemnification of a civil judgment, pursuant to federal law and DOJ policy and regulations.

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A. COMMON LAW TORT CLAIMS

1. Congress has provided that the exclusive remedy for the negligent or wrongful act or omission of an employee of the U.S. Government, acting within the scope of his or her employment, shall be an action against the United States under the FTCA, 28 U.S.C. ' 1346(b), and ' ' 2671 - 2680.
2. Notwithstanding the provisions contained in Article XIII of this MOU, for the limited purpose of defending civil claims arising out of JTTF activity, a state, local, or tribal law enforcement officer who has been federally deputized and who is acting within the course and scope of his or her official duties and assignments pursuant to this MOU may be considered an ~~A~~employee of the U.S. government, as defined at 28 U.S.C. ' 2671. See 5 U.S.C. ' 3374(c)(2).
3. Under the Federal Employee Liability Reform and Tort Compensation Act of 1998 (commonly known as the Westfall Act), 28 U.S.C. ' 2679(b)(1), if an employee of the United States is named as a defendant in a civil action, the Attorney General or his or her designee may certify that the defendant acted within the scope of his or her employment at the time of the incident giving rise to the suit. 28 U.S.C. ' 2679(d)(2). The United States can then be substituted for the employee as the sole defendant with respect to any tort claims alleged in the action. 28 U.S.C. ' 2679(d)(2). If the United States is substituted as defendant, the individual employee is thereby protected from suit on any tort claim arising out of the incident.
4. If the Attorney General declines to certify that an employee was acting within the scope of employment, ~~A~~the employee may at any time before trial petition the court to find and certify that the employee was acting within the scope of his office or employment. 28 U.S.C. ' 2679(d)(3).
5. Liability for any negligent or willful acts of JTTF members undertaken outside the terms of this MOU will be the sole responsibility of the respective employee and agency involved.

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5. Liability for any negligent or willful acts of JTTF members undertaken outside the terms of this MOU will be the sole responsibility of the respective employee and agency involved.

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B CONSTITUTIONAL CLAIMS

1. Liability for violations of federal constitutional law may rest with the individual federal agent or officer pursuant to Bivens v. Six Unknown Names Agents of the Federal Bureau of Narcotics, 403 U.S. 388 (1971) or pursuant to 42 U.S.C. ' 1983 for state officers.
2. Federal, state, local, and tribal officers enjoy qualified immunity from suit for constitutional torts, insofar as their conduct does not violate clearly established statutory or constitutional rights of which a reasonable person would have known. Harlow v. Fitzgerald, 457 U.S. 800 (1982).
3. If a Participating Agency JTTF officer is named as a defendant in his or her individual capacity in a civil action alleging constitutional damages as a result of conduct taken within the course of the JTTF, the officer may request representation by DOJ. 28 C.F.R. ' 50.15, 50.16.
4. An employee may be provided representation when the actions for which representation is requested reasonably appears to have been performed within the scope of the employee's employment, and the Attorney General, or his or her designee, determines that providing representation would otherwise be in the interest of the United States. 28 C.F.R. ' 50.15(a).
5. A JTTF member's written request for representation should be directed to the Attorney General and provided to the Chief Division Counsel (CDC) of the FBI division coordinating the JTTF. The CDC will forward the representation request to the FBI's Office of the General Counsel (OGC), together with a letterhead memorandum concerning the factual basis of the lawsuit. FBI's OGC will then forward the request to the Civil Division of DOJ, together with an agency recommendation concerning scope of employment and DOJ representation. 28 C.F.R. ' 50.15(a)(3).
6. If a JTTF member is found to be liable for a constitutional tort, he or she may request indemnification from DOJ to satisfy an adverse judgment rendered against the employee in his or her individual capacity. 28 C.F.R. ' 50.15(c)(4). The criteria for payment are substantially similar to those used to determine whether a federal employee is entitled to DOJ representation under 28 C.F.R. ' 50.15(a).

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7. Determinations concerning legal representation and indemnification by the United States are discretionary and are made by DOJ on a case-by-case basis. The FBI cannot guarantee that the United States will provide legal representation, legal defense, or indemnification to any federal or state employee detailed to the JTTF, and nothing in this Article shall be deemed to create any legal right on the part of any JTTF personnel.

C. EXPRESS RESERVATIONS

1. Nothing in this Article shall be deemed to create an employment relationship between the FBI or the United States and any Participating Agency JTTF member other than for exclusive purposes of the FTCA, as outlined herein.
2. The participating agencies do not waive any available defenses and/or limitations on liability. No Participating Agency shall be considered to be an agent of any other Participating Agency.

XXII. DURATION

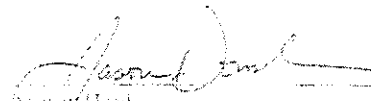
- A. The term of the MOU shall be an indefinite period. The MOU may be terminated at will by any party, provided written notice is provided to the other parties of not less than sixty (60) days. Upon termination of the MOU, all equipment will be returned to the supplying agency(ies). It is understood that the termination of this agreement by any one of the Participating Agencies will have no effect on the agreement between the FBI and all other participating agencies.
- B. Notwithstanding this provision, the provisions of Paragraph IX, entitled RECORDS, REPORTS AND INFORMATION SHARING, and Paragraph XXI, entitled LIABILITY, will continue until all potential liabilities have lapsed. Similarly, the inherent disclaimer limitation contained in the EXPRESS RESERVATION provision will survive any termination.

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NOTE: AMENDMENTS


This agreement in no manner affects any existing MOUs or agreements with the FBI or any other agency. This agreement may be amended only by mutual written consent of the parties. The modifications shall have no force and effect unless such modifications are reduced to writing and signed by an authorized representative of the FBI and the Participating Agency.

SIGNATURES



Agency Head
East Lafayette Police Department
"The Participating Agency"

Date: June 18, 2013



Special Agent in Charge
Field Division
Federal Bureau of Investigation

Date: June 18, 2013

MOU to allow Indiana State Police to use WLPD channels.pdf

MEMORANDUM OF UNDERSTANDING

Permission is given for the officers assigned to the Indiana State Police, District 14, to monitor the radio "Dispatch" and "Car-Car" talk groups assigned to the West Lafayette Police Department. Units may transmit on this talkgroup for official mandated responsibilities only. Transmissions shall be brief, concise and business like in nature.

It is understood that all assignments from the Indiana State Police will take priority over any request dispatched to Indiana State Police officers by the West Lafayette Police Department. Regional mutual aid channels shall be used whenever possible for interagency communications and shall be programmed into all radios.


Authorizing Agency Commander

12-06-07
Date


Indiana State Police

11-26-07
Date

MOU to allos Indiana DNR to use WLPD radio Channels.pdf

INDIANA DEPARTMENT OF NATURAL RESOURCES
LAW ENFORCEMENT DIVISION

MEMORANDUM

DATE: August 31, 2006
TO: WLPD Chief Dan Marvin
FROM: Officer Joshua Schoon
SUBJECT: 800 MHz Radio Channels _
APPROVED BY: *Daniel O. Marvin*

In the course of my duties as a law enforcement officer in Indiana, I have realized the necessity to be in constant contact with my dispatching agency. It is also a great advantage to be able to contact other departments that are in the same vicinity as where I am patrolling both for back up and to provide assistance if and when needed. Currently I have on loan an STX 800 MHz from Tippecanoe Co S.D. that gives me contact with LPD, WLPD, PUPD, and TCSD. This radio works well but is bulky and is not compatible with other radios that I have as far as chargers and shoulder microphones.

Recently the DNR has issued Officer Matt Tholen, F/Sgt Daniel Dulin, and me 800 MHz radios to program with Tippecanoe Co. police and emergency channels. I am asking for permission to have RACOMM reprogram our radios with WLPD Dispatch and WLPD Car/Car. RACOMM requires authorization from each department before proceeding. If you have no objections to this request, please provide me with permission in written form.

WLPD Uniform Guide 2016.pdf

Class A Uniform

Model #	Wool Blend	Description	Duty Rig
8560	4 Pocket Class Act Pant	Class A Uniform Pant	Leather Only
8450	LS Class Act Shirt	Class A 1 & 2 Long Sleeve Uniform Shirt	Leather Only
8460	SS Class Act Shirt	Class A3 Short Sleeve Uniform Shirt	Leather Only
Polyester			
8650	4 Pocket Class Act Pant	Class A Uniform Pant	Leather Only
8600-Z	LS Class Act Shirt	Class A 1 & 2 Long Sleeve Uniform Shirt	Leather Only
8610-Z	SS Class Act Shirt	Class A3 Short Sleeve Uniform Shirt	Leather Only

Class B Uniform Regular Duty

Model #	Wool Blend	Description	Duty Rig
8565	6-Pocket Cargo Pant	Class B Cargo Uniform Pant	Leather or Nylon
8554	4 Pocket Class Act Pant	Class B Uniform Pant	Leather or Nylon
8567	6-Pocket Cargo Pant	Class B Hidden Cargo Uniform Pant	Leather or Nylon
8567P7	7-Pocket Class Act Pant	Class B Pant with SAP Pockets	Leather or Nylon
8436	LS Supershirt	Class B Long Sleeve Uniform Shirt	Leather or Nylon
8446	SS Supershirt	Class B Short Sleeve Uniform Shirt	Leather or Nylon
Polyester			
8655	6-Pocket Cargo Pant	Class B Cargo Uniform Pant	Leather or Nylon
8650	4 Pocket Class Act Pant	Class B Uniform Pant	Leather or Nylon
8657	6-Pocket Cargo Pant	Class B Hidden Cargo Uniform Pant	Leather or Nylon
8670	LS Supershirt	Class B Long Sleeve Uniform Shirt	Leather or Nylon
8675	SS Supershirt	Class B Short Sleeve Uniform Shirt	Leather or Nylon

Class B Outer Carrier Uniform Regular Duty

Model #	Wool Blend	Description	Duty Rig
8470	Armorskin Vest Carrier	Outer Vest Carrier	Nylon Only
8471	LS Base Shirt	Long Sleeve Base Shirt	Nylon Only
8473	LS Winter Base Shirt	Long Sleeve Fleece Lined Base Shirt	Nylon Only
8472	SS Base Shirt	Short Sleeve Base Shirt	Nylon Only
8565	6-Pocket Cargo Pant	Class B Cargo Uniform Pant	Nylon Only
8567	6-Pocket Cargo Pant	Class B Hidden Cargo Uniform Pant	Nylon Only
8567P7	7-Pocket Class Act Pant	Class B Pant with SAP Pockets	Nylon Only
Polyester			
8370	Armorskin Vest Carrier	Outer Vest Carrier	Nylon Only
8371	LS Base Shirt	Long Sleeve Base Shirt	Nylon Only
8373	LS Winter Base Shirt	Long Sleeve Fleece Lined Base Shirt	Nylon Only
8372	SS Base Shirt	Short Sleeve Base Shirt	Nylon Only
8655	6-Pocket Cargo Pant	Class B Cargo Uniform Pant	Nylon Only
8657	6-Pocket Cargo Pant	Class B Hidden Cargo Uniform Pant	Nylon Only

Class C Uniform

Model #	Polyester	Description	Duty Rig
	Polo Shirt	Current Elbeco Polo	Nylon Only
8655	6-Pocket Cargo Pant	Class C Cargo Uniform Pant	Nylon Only
8657	6-Pocket Cargo Pant	Class C Hidden Cargo Uniform Pant	Nylon Only

228	Fleece-Lined Quarter Zip Sweater	Sweater to be worn with Class B Uniform	Leather or Nylon
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PMC Article II Member Appointment.pdf

ARTICLE II

MEMBER APPOINTMENT

ARTICLE II - MEMBER APPOINTMENT

The purpose of this Article is to establish the qualifications and rules necessary for the selection and appointment of members of the West Lafayette Police Department.

A. Application Process.

(1) Application Forms. All applicants for appointment as a member of the Police Department shall obtain an application form from the City of West Lafayette Human Resources Department, from the West Lafayette Police Department website, or from a West Lafayette Police Department employee. The Commission shall review the application forms used to consider applicants for compliance with all federal and state laws.

(2) Completion of Application. All information requested in the application forms shall be filled out to the best knowledge and belief of the applicant. Any misrepresentation made in the application forms by the applicant may render the applicant ineligible for any position with the Police Department. Failure to provide all required information with the application will result in the application being rejected. The applicant must resubmit the entire application package in order to be considered for the hiring process.

(3) Limitation. Each applicant who has submitted a complete application package must take the next available agility and aptitude test. If the applicant fails to take the next available agility and aptitude test, the applicant must resubmit the application package to be reconsidered for the hiring process.

(4) Applicant Information. An applicant must supply the following along with the completed application form:

- a) birth certificate or satisfactory evidence of date and place of birth;
- b) copy of high school diploma or G.E.D. certificate or high school transcript showing graduation;
- c) copy of military Certificate of Release or Discharge from Active Duty (DD Form 214), if applicable;
- d) valid driver's license or application for valid driver's license.

(5) Initial Eligibility Requirements.

- a) Citizen. An applicant must be a citizen of the United States of America.
- b) Age. An applicant must be, at the time of application to be a member, at least twenty-one (21) years of age and less than thirty-six (36) years of

age. However, the age requirements do not apply to a person who has previously been employed as a member of the West Lafayette Police Department.

c) Character. An applicant must be of “good moral character” as determined by the Commission after review of all the requirements set forth in this Article.

d) Felony Conviction. An applicant shall not be appointed, reappointed or reinstated if he or she has a judgment of conviction for a felony.

e) High School Graduate. An applicant must be a graduate of a duly accredited high school or have received a G.E.D. certificate.

f) Other Criteria. In addition to the above, an applicant must have one of the following:

(i) completed 60 semester hours or 90 quarter hours of post-secondary education at an accredited college, university or technical school with at least a 2.0 GPA based on a 4.0 grading scale;

(ii) honorably completed 2 years of active service in the U.S. Military and received an Honorable Discharge or General Discharge (Under Honorable Conditions); or

(iii) completed 2 years of employment as a full-time law enforcement employee.

B. Examination Process. An applicant must take and pass minimum agility and aptitude tests to determine physical condition and general aptitude prior to being considered for employment.

(1) Physical Agility Test. The Commission shall adopt a physical agility test with the following minimum standards:

a) muscular strength;

b) muscular endurance;

c) cardiovascular endurance;

d) musculoskeletal flexibility.

The physical agility test shall not discriminate on the basis of sex and shall reflect the essential functions of the job. An applicant must meet or exceed these standards at the time of the application to be eligible to take the aptitude test and be considered for employment.

(2) General Aptitude Test. The Commission shall adopt a general aptitude test as part of the applicant's testing process. The general aptitude test shall:

- a) reflect the essential functions of the job;
- b) be administered in a manner that reasonably accommodates the needs of applicants with disabilities.

Each applicant must score at least 75% in each category on the test and receive an overall score of at least 85%. Failure to meet either of these criteria will result in the applicant being removed from the hiring process.

(3) Biennial Review. The Commission shall review all aspects of the testing process at least once every two years and periodically adopt procedures for conducting the test.

- C. Interview with Police Review Board. An internal review board, consisting of members of the Department, as selected by the Chief, shall interview and rate the applicant. The Board's scores and comments for the applicant shall be forwarded to the Commission. Failure of an applicant to receive a combined average score of 75 or greater from the Police Review Board will result in the applicant being removed from the hiring process.

The Chief shall submit the format used by the internal review board to the Commission for approval.

- D. Background Investigation. A background investigation, including a criminal background, is to be completed by the police department. After the background investigation has been completed, the Police Review Board shall assign a score of up to a maximum of 60 points. The points assigned by the Police Review Board are conditional. The Commission shall review the background investigation and either affirm or change the score given by the Police Review Board.
- E. Polygraph Exam. After an applicant has gone through a background investigation, the applicant shall then submit to a polygraph exam, administered by a qualified polygraph examiner. In the event an applicant shows deception, or makes admissions that preclude that applicant from employment, the applicant shall be removed from the hiring process.
- F. Interview with the Commission. All applicants remaining in the hiring process shall be interviewed by the Commission. The Commission shall then score the applicant based on the following weights given to the criteria set forth above:

- (1) examination - 10%

(2) police review board interview - 35%

(3) background investigation - 20%

(4) Commission interview - 35%

A minimum weighted score of 75% is necessary for the applicant to be placed on the eligibility list.

- G. Eligibility List. The Commission shall then place the qualified applicants on an eligibility list ranked from highest to lowest score, which eligibility list shall be certified to the Board of Works. If an applicant for original appointment reaches his or her thirty-sixth (36th) birthday, the applicant's name shall be removed from the eligibility list. An applicant remains on the list for two (2) years from the date of their first certification. If an applicant is removed from the eligibility list after two (2) years, then the applicant may reapply and begin the hiring process again.
- H. Additional Requirements. The Commission, after review, may establish additional standards as a condition of employment above the minimum standards set out above.
- I. Filling Vacancies. The Chief shall notify the Commission in writing when a vacancy occurs in the department. The Commission shall then provide the Chief with the name of the applicant having the highest score on the Eligibility List. The applicant shall then:
- (1) be re-administered the physical agility test;
 - (2) undergo an updated criminal background investigation to determine if the applicant is of continued good character.
- J. Conditional Offer of Employment. The Chief shall inform the Commission after the physical agility test and the updated criminal background investigation has been re-administered. If the applicant passes these criteria, then the Commission may extend to the applicant a conditional offer of employment.
- K. Eligibility Requirements under the 1977 Policeman's Pension Fund (PERF).
- (1) Conditional Appointment. An applicant's appointment is conditional on meeting the provisions for membership in the 1977 Police Officers' and Firefighters' Pension and Disability Fund (PERF) under IC 36-8-8-1 *et seq.*

(2) Physical and Mental Examination. After the Commission extends a conditional offer of employment to an applicant, the Commission shall administer the baseline statewide physical and mental examination as prescribed by the PERF board. (IC 36-8-8-19)

L. Probationary Members.

(1) Probationary Period. All applicants who pass the physical and mental examination as prescribed by the PERF board will become probationary members for a period not to exceed one (1) year. Probationary members shall be rated in the same manner as other members of the department. If the Commission is notified by the Chief that the probationary member is not performing satisfactorily, the Commission shall notify the member in writing:

- a) that the member is being reprimanded;
- b) that the member is being suspended; or
- c) that the member will not receive a permanent appointment.

(2) Termination of Employment. If the Commission finds that the probationary member will not receive a permanent appointment, the member's employment shall terminate immediately.

(3) No Property Interest. Probationary members do not have a property interest in their position until such time as they become a permanent member.

(4) Termination of Probationary Period. If the Chief presents no finding prior to the end of the one (1) year probationary period, a member will automatically be considered a regularly employed member.

(5) Residential Requirement. Within six (6) months of appointment, a member shall reside within Tippecanoe County or a contiguous county.

M. State and Federal Laws.

(1) Rules Subject to Federal and State Law. These rules and regulations regarding the employment of members shall be subject to all state and federal laws. If the Chief becomes aware of any changes in the law that would affect these rules, he or she is to notify the Commission so that the necessary amendments may be made.

(2) Chief's Responsibilities. The Chief shall notify the Commission when an applicant's offer of employment is no longer conditional (after PERF has approved the applicant for the 1977 Fund).

- N. Furnishing Information to Applicants. A Commissioner who knowingly furnishes information to an applicant for original appointment that gives that person an advantage over another person commits a Class D felony.

Intern and Volunteer Forms.pdf

West Lafayette Police Department
Student Intern/Volunteer Application

Name _____

Last	First	Middle
------	-------	--------

Present Address _____

Street	City	State	Zip	Telephone
--------	------	-------	-----	-----------

Home Address _____

Street	City	State	Zip	Telephone
--------	------	-------	-----	-----------

Do you understand If selected additional personal identifying information will be required for identification and security clearances. ☐ Yes ☐ No

Emergency Contact _____ Relationship _____

Have you ever been convicted of a crime other than a traffic offense? Yes No

If Yes explain _____

Will you submit to a background and criminal history check? ☐ Yes ☐ No

If yes please provide: DOB _____ Drivers License _____ SSN _____

School Attending _____

Major course of study _____

Advisor _____

Address _____ Telephone _____

Reason for volunteer/internship _____

Period requested from _____ to _____ Total hours required _____

_____ Date _____

Signature of applicant

Code of Conduct

Any student or volunteer who violates or commits any of the following breaches of conduct shall be subject to immediate dismissal.

1. Any illegal use of drugs. Any use of intoxicating beverages 12 hours prior to or during a scheduled shift
2. Uses, carries, or conceals any firearm or other type of weapon including baton, mace, or other like chemical device during scheduled visit.
3. Uses, carries or conceals any camera or recording device
4. Willful misconduct or failure to comply or carry out instructions of supervising officer.
5. Releases or disseminates any information about any suspect, victim, officer or incident without written approval of the program supervisor.
6. Conviction of a felony or serious misdemeanor or conviction of a misdemeanor or ordinance violation involving physical abuse, firearms, drugs, alcohol or moral turpitude.
7. Discourteous, insulting, abusive, or inflammatory language or conduct toward the public or WLPD employees.
8. Participates or is directly involved in any law enforcement function or activity unless so directed by their supervising officer(s) to prevent bodily harm to themselves or another.
9. Fails to maintain good hygiene or wear appropriate attire.
10. When so directed or required, fails to complete written statements, forms, or documents or withholds testimony.
11. Immorality, indecency, lewdness, or conduct that may tend to discredit WLPD.
12. Interferes in any manner or means with any law enforcement officer in the performance of their duties.

I have read and understand the Code of Conduct. I agree to adhere to the Code of Conduct and all WLPD policies. I understand that any breach of the Code of Conduct or WLPD policy is cause for immediate dismissal from WLPD.

Signature

Date

Waiver of Liability

I have read, understand and have signed the WLPD Code of conduct. I agree to adhere to the regulations stated therein and those of the WLPD policy and procedure.

I hereby waive all right to claim damages against WLPD, City of West Lafayette, its officers, agent, servants and employees for any cause of action, which might arise, except gross negligence of said agency while I am participating with WLPD.

Applicants Name	Applicants Signature	Date
-----------------	----------------------	------

Witness Name	Witness Signature	Date
--------------	-------------------	------

Student Internship Contract

I, _____, majoring in

at _____

enter into an agreement with the West Lafayette Police Department to complete _____

hours of student internship.

I will be under the supervision of _____ and will observe the Code of Conduct all rules, policies and standards of West Lafayette Police Department. I will carry out all the responsibilities assigned to me as a student intern.

Student Signature_____

Intern Coordinator_____

Date_____

Activity Log

[illegible]

NAME _____ DATE _____

SHIFT _____

EVALUATING OFFICER _____

1. Was intern's dress appropriate? Y N

If No, Explain _____

2. Was intern punctual and prepared? Y N

Rate the following criteria on a scale of 1 (unsatisfactory) to 10 (excellent)

3. Did intern ask meaningful questions? 1 2 3 4 5 6 7 8 9 10

4. Was intern courteous and respectful? 1 2 3 4 5 6 7 8 9 10

5. Was intern's attitude positive? 1 2 3 4 5 6 7 8 9 10

6. Was intern attentive to task? 1 2 3 4 5 6 7 8 9 10

7. Would this intern be a good candidate to become an officer? Y N

Explain _____

8. Observations _____

Citizen Ride Along 2016.pdf

West Lafayette Police Department



Citizen Ride-Along

CITIZENS RIDE-ALONG POLICY

- I. Background: The West Lafayette Police Department will permit officers to have riders within certain departmental guidelines. Officers are reminded that this program is intended to offer citizens an opportunity to better understand what we as officers face on a daily basis. A person will be limited as to the number of times they are permitted to ride. Officers are also reminded that having a rider is a privilege, not a right, and as such certain minimum standards must be adhered to. Officers are cautioned to use good judgment with the ride-along program.
- II. Policy:
 1. Requesting citizens must complete and submit a Participation, Waiver, and Indemnity Agreement, together with any other forms required by the department, with all the information blocks completed. This form must be filled out for each request. These forms will be available from a shift commander.
 2. Completed requests must be turned in to the Chief's Office Monday – Friday, at least 24 hours prior to the date requested to have a rider. Incomplete forms cannot be processed. The same person is limited to riding once in every two-month period. All requests must be approved by the Chief or designee; however the shift commander will have "ultimate veto power" of any rider before or during a ride-along. It shall be the responsibility of the shift commander to return all completed agreements to the Chief's office at the end of the tour of duty in which the rider participated.
 3. Officers shall instruct all riders that they are not to become involved in the calls officers respond to in any manner. The rider is present only to observe the officer. Officers may instruct the citizen in the use of the police radio; however, this usage must be restricted to emergencies that would prohibit the officer from using the radio.

4. No rider will be permitted to carry a firearm. The only exception to this rule would be if the person requesting the ride-along is a full time certified law enforcement officer. The certified law enforcement officer must have arrest powers granted in accordance with state law or federal regulations.
5. All riders are expected to be clean in appearance and dress appropriately while riding. No jeans or cutoffs will be permitted. Shirts will be free of any print that would be demeaning or offensive to the public or members of the West Lafayette Police Department. Persons appearing in dress not appropriate will immediately be terminated from the Ride-Along Program.
6. Subjects requesting to participate in the Ride-Along Program must submit information for a criminal record check. The criminal records check must be completed/passed before being allowed to ride in the program. Information submitted must include: full name, current address, date of birth, and social security number.
7. The Ride-Along Program will be presented to all riders by a shift commander or O.I.C. using a lesson plan format.
8. All riders participating in the Ride-Along Program must remember that all information observed or heard during the program is considered confidential and this information is not to be taken outside of the West Lafayette Police Department.
9. Subjects participating in the Ride-Along Program are not granted access to the following:
 - A. Confidential Information
 - B. Police Records
 - C. Police Computer System
10. Officers are to advise participants that during serious calls the Ride-Along participant is to stay inside the patrol car. Ride-Along participants also need to be advised that in the event of a pursuit the officer may stop the patrol car and request that the Ride-Along participant exit the patrol car. Another officer will be advised to pick the Ride-Along participant up as soon as possible. Officers shall make sure that if a Ride-Along participant is requested to exit the vehicle, access to a well-lighted area and phone be made available if at all possible.

CITIZEN RIDE-ALONG PROGRAM PARTICIPATION AGREEMENT, LIABILITY WAIVER, AND INDEMNITY AGREEMENT

In consideration of being allowed by the West Lafayette Police Department to participate in its citizen ride along program, I agree to the following:

1. My participation in the citizen ride-along program shall be subject to and in accordance with all terms and conditions that are contained in the West Lafayette Police Department's current citizen ride-along policy. By my initials below, I hereby acknowledge that I have read and understand this policy and agree to abide by all of its terms.

Initials _____

2. I understand that any information that I obtain as a result of this ride-along program may be subject to confidentiality. I agree not to discuss this information with anyone other than members of the West Lafayette Police Department. Information gathered through this ride-along program may not be distributed without permission from the Chief of Police.

Initials _____

3. I hereby waive and forever release any and all claims for personal injury, property damages, and/or loss of services which I may now have or have in the future against the City of West Lafayette, the West Lafayette Police Department, individuals and/or entities, agents, servants, employees, successors, and assigns arising from any damages or losses which I may suffer or incur while participating in the West Lafayette Police Department's citizen ride-along program, including but not limited to riding in or being transported in a West Lafayette Police Department vehicle. This waiver and release shall be binding upon my heirs, executors, administrators, and assigns. I also waive any legal duty of the City of West Lafayette, the West Lafayette Police Department, and their employees and agents to protect me that may arise as a result of my participation in the citizen ride-along program and my following of the rules and terms of the citizen ride-along program.

Initials _____

4. I agree to indemnify the City of West Lafayette, West Lafayette Police Department, and their employees and agents (collectively "Indemnity") from any and all liability, loss, or damage indemnity may suffer, including legal and attorney's fees, as a result of claims, demands, costs, or judgment against indemnity arising from my participation in the citizen ride-along program.

Initials _____

Name: _____

Signature: _____

Date: _____

CITIZEN RIDE-ALONG REQUEST

SUBJECT REQUESTING RIDE-ALONG

Full Name: _____

Date of Birth: _____ Social Security Number: _____

Home Address: _____

Cell Phone: _____ Home Phone: _____

Email Address: _____

Provide several dates and times available to ride: _____

Brief reason for ride-along request:

Emergency contact person(s) name and phone number: _____

****POLICE USE ONLY****

Recommending Officer: _____

Reason for recommendation: _____

Record check by: _____ (Attach Record Check)

Approved by Chief or Designee: APPROVED NOT APPROVED (Circle One)

Name and Rank: _____ Signature: _____

Shift Commander: APPROVED NOT APPROVED (Circle One)

Name and Rank: _____ Signature: _____

Reason: _____

CITIZEN RIDE-ALONG CHECK OFF SHEET

1. Citizen has completed the request form. _____
2. Records check has been completed. _____
3. Completed request form turned in at least 24 hours prior to ride-along Request. _____
4. Liability waiver completed/signed by ride-along participant. _____
5. Officer is to go over the instructions and rules portion of the ride-along program with the participant. Officer is to make sure the ride-along participant understands each instruction and rule portion of the program. _____

Officers Name: _____

Signature: _____

Citizen Name: _____

Signature: _____

Date: _____

****Once completed, Officers will return this packet to the Captain of Patrol for retention purposes.**

Police Officer 6 Month Performance Evaluation.pdf

West Lafayette Police Department Performance Evaluation

Name

Rank

Rating Period July To Dec

Time in Grade

Hire Date

Evaluation Guidelines:

Five Categories will be utilized to rank an employees performance;

- | | |
|---------------------|--|
| 5) Superior - | Employee's performance consistently exceeds expectations |
| 4) Above Standard - | Employee's performance meets and on occasion exceeds |
| 3) Standard - | Employee's performance meets expectations |
| 2) Substandard | Employee's performance is on occasion below expectations |
| 1) Unacceptable | Employee's performance is consistently below minimum |

1. Volume of Acceptable Work - Amount of work required to meet job standards

Ranking	Comments
---------	----------

2. Initiative - Accepts responsibility to initiate actions which promote the effectiveness of the department's objectives. Measure of willingness to accept responsibility and the degree to which it is carried out.

Ranking	Comments
---------	----------

3. Judgment - Demonstrates the ability to use sound reasoning and logical analysis of information available to make appropriate decisions.

Ranking	Comments
---------	----------

4. Safety Practices - Demonstrates a practice of applicable safety regulations and the ability to maintain the safety of self and others.

Ranking	Comments
---------	----------

5. Conduct - Demonstrates positive rapport and interaction with all public contacts. Presents a professional demeanor which reflects positively upon the Department. A willingness

to work with others to improve the effectiveness of departmental goals.

Ranking Comments

6. Job Knowledge - Awareness and practice of procedures, policies, laws and their application.

Ranking Comments

7. Work Quality - Accuracy, neatness, effective completion of assignments, attention to detail.

Ranking Comments

8. Dependability - Measure of reliability of the employee to follow instruction, complete tasks and attendance.

Ranking Comments

9. Adaptability - Ability to adapt to new or changed situations. Effectiveness under stressful and dynamic situations.

Ranking Comments

10. Evaluation Summary - Summarizes the evaluation and states average of all categories.

Ranking	Comments
---------	----------

Supervisor Comments:

Div. Commander Comments

Employee Comments:

I understand my signature does not necessarily indicate total agreement, only that I have read this evaluation and discussed it with my supervisor.

Employee Evaluated Date

Supervisor Date

Reviewing Officer Date

Sex Offender Check.pdf

Sex Offender Address Verification

Purpose:

The purpose of the WLPD Sex Offender Address Verification program is to ensure compliance by sex offenders in reporting their addresses to law enforcement. The law requires annual registration but provides for more frequent verification of the offender's address and other information. More frequent monitoring of the address information will also afford more contact between the offenders and law enforcement and provide more opportunities for intervention with an offender who is likely to re-offend. Recently the Indiana legislature passed a law restricting where "offenders against children" may reside. As a result, many of these offenders are going to be notified that they are in violation of the new law and will be required to move in order to avoid criminal violations of that law. Address verification will assist the WLPD during this time period to ensure that the address registration laws are followed in a timely manner and that the citizens are afforded the opportunity to stay informed of offenders living around them.

Who is a sex offender?

A person who is at least 14 years of age who has been convicted in any jurisdiction of committing or attempting to commit a sex offense as listed in (IC 11-8-8-5).

Who is a sexually violent predator?

Sexually violent predator is a term applied to those individuals at least eighteen (18) years of age convicted of rape (IC 35-42-4-1), criminal deviate conduct (IC 35-42-4-2), child molesting (IC 35-42-4-3) at the A and B Felony level, or vicarious sexual gratification (IC 35-42-4-5). Sexually violent predators are subject to life-long reporting to the sex offender registry, as well as more stringent reporting requirements than other sex offenders (IC 35-38-1-7.5).

What additional restrictions apply to SVP's?

1. Any sexually violent predator that will be away from his/her principle address for more than seventy-two (72) hours must provide notice to local law enforcement either in person or in writing. The offender must provide the location they will be visiting, the length of stay, and any other information requested by local law enforcement (IC 11-8-8-18). Local law enforcement will then notify law enforcement officers in the area to which the offender is visiting that a sexually violent predator will be present.
2. Sexually violent predators are forbidden to work or volunteer on school property, at a youth program center, or at a public park (IC 35-42-4-10). Failure to abide by these rules is considered a Class D felony for a first offense or a Class C felony for a subsequent offense.

What are their registration requirements?

1. A sex offender who spends or intends to spend at least seven (7) days (including part of a day) in Indiana during a 180 day period or an offender who owns real property in Indiana and returns to Indiana at any time,
2. A sex offender who works or carries on a vocation or intends to work or carry on a vocation in Indiana either full-time or part-time for more than 14 days in a row during any calendar year,
3. A sex offender who works or carries on a vocation or intends to work or carry on a vocation in Indiana either full-time or part-time for a total of more than 30 days whether or not they are in a row during any calendar year, and
4. A sex offender who is enrolled or intends to be enrolled on a full-time or part-time basis in any public or private educational institution in Indiana.
5. A sex offender must register within 7 days of his re-entry to society; however, once the offender arrives in the jurisdiction in which he will be required to register, he/she only has 72 hours to complete the registration process.
6. All subsequent registrations based on change of address, change of employment, etc are required to be completed within 72 hours.

What are the WLPD requirements?

Randomly complete the following tasks:

Face to face contact

Verify possession of Indiana driver's license or Indiana ID card (required at all times)

Monthly contact

Verification of address

Verification of employment addresses

Advise the SO that you have been assigned to verify his address monthly.

Advise the SO that the WLPD verification program does not in any way relieve him of his registration obligations with the Sheriff's Department and other jurisdictions.

If this is the first contact with the offender at this address, the officer will conduct a survey of the surrounding area to determine:

1. If the sex offender is in violation of legal restrictions if he is an SVP
2. What type of area surrounds the address and assess the possible impact on re-offending
3. Ask the SO for the name and other identifying information of his victim and if he has knowledge of the victim's address.
4. Conduct research to determine the victim's address so that it can be verified that the SO is not residing within one mile of their victim.
5. Determine if the offender has submitted his DNA sample and ensure that information is recorded on the offender's name record in RMS.

6. Ensure or collect all information possible pertaining to all three pages of the name record as noted below:

Name: [Search]									
Last, First, Middle, Suffix					SSN		<input type="button" value="Involve"/> <input type="button" value="Image"/> <input type="button" value="Import"/> <input type="button" value="Report"/>		
Page 1 Page 2 Page 3					Sys # 0				
Addr		Alt		OCC TYPE		SCHOOL			
City		St	Zip	Home Ph		Resid		Citiz	
Empl		Addr		Wk Ph		Occu			
Race	Sex	DOB	Age	OLN	OLN Class	CDL			
Height	Weight	0	Marital	Hair	Eye	Skin Tone		Ethn	
SMT		Phys		Name Type					
Notes		Alert							
Alias					<input type="button" value="Next"/> <input type="button" value="Reset"/> <input type="button" value="Option"/> <input type="button" value="View"/> <input type="button" value="Ext Srch"/>				

Name: [Search]									
Last, First, Middle, Suffix					SSN		<input type="button" value="Involve"/> <input type="button" value="Image"/> <input type="button" value="Import"/> <input type="button" value="Report"/>		
Page 1 Page 2 Page 3					Sys # 0				
M. O.		Pager		Mobile		Contact Names			
		E-Mail				Additional Address			
Local ID		Place Of Birth		Birth State		Birth Country			
State ID		Religion		Residence (City/Cnty)					
FBI ID		DNA		Military Branch					
Immigration #		Blood Type		Military Status					
Language		NOC PPC							
Henry 1		Addr Source		Date of Death					
Henry 2				DOC #					
Alias					<input type="button" value="Next"/> <input type="button" value="Reset"/> <input type="button" value="Option"/> <input type="button" value="View"/> <input type="button" value="Ext Srch"/>				

Name: [Search]

Last, First, Middle, Suffix SSN Involve Image Import Report

Page 1 Page 2 Page 3 Sys # 0

NCF FP Missing/Vehicd Poster

Insurance Insurance Policy # Search P2P Block

Attorney Attorney Phone Search P2C Block

Education Level # of Dependents 0 Date of Residence / / : :

Photo Shoe Size LiveScan Occupation Classification

Geo Info Audit Info

AGCY BEAT Add / / : :

DIST NBHD

RPTA SUBD

Geo X 0 Y 0

Mobile Key

Mob Name Candidated By

Alias Next Reset Option View Exit Strch

If you become aware that your assigned sex offender is going to be moving, send an email to Greg Haltom. The current agency of registration is required to notify the new agency that the offender is moving into their jurisdiction.

How is documentation of the monthly contact recorded?

Upon completing a contact with a sex offender wherein the address was verified each officer will complete a computerized field contact card in the RMS system.

As noted in the example below:

Date and Time of the address verification

Reason is **SEX OFFENDER ADDRESS VERIFICATION**

The verified address

The offender's name (all offender names are in RMS and available in name candidating).

Relevant notes about this particular contact.

The name of the officer verifying the address.

In addition, where vehicle and other pertinent information is obtained, that information should also be recorded in RMS.

Field Contact		Related Incident #		<input type="checkbox"/> Flag For Roll Call		Vehicle		Name	
Page 1 Page 2		Date 03/26/2007		Time 11:32		Reason SEX OFFENDER ADDRESS VERIFIC		NEW	
Location OFFEN		DER ADDRESS GOES HERE		Apt		City LAFAYETTE		Zip 47905	
Name OFFENDER NAME		Rc		Sx		DOB / /		Age	
Vh Lic		Vh Yr		Make		Model		Color /	
Notes		<input type="checkbox"/> Admitted Record		Propty In Poss					
Put relevant notes here				Weapon/Tool					
				Officer		PAYNE, DAVID H JR			
Ready To Submit		Approve/Deny		Save		Delete		Cancel	

What needs to happen when any sex offender moves?

The SO needs to register his new address with the Sheriff's Department within 72 hours. If you are assigned to monitor this offender, you need to check the Indiana Sheriff's Sex Offender Registry to verify that the new address appears on his registry information within the 72 hour time period, this will provide you with notice that the offender is in compliance with his registry requirements. The offender's information in RMS should be updated also, but the official record of the registry is the Sheriff's website.

What if the SO is homeless?

Under **IC 11-8-8-12** the offender is then required to register every 7 days with the Sheriff's Department.

Violations

If you find that the offender is in violation of his requirement to register:

1. Prepare a case
2. Forward the case to Deputy Prosecutor Laura Zeman
3. Send an email to Laura Zeman and Greg Haltom, notifying them of the case and the violation.

If you find that a SVP is residing (see definition below) in a prohibited area:

1. Prepare a case and if the SVP has just moved to this prohibited area, consider your information for a probable cause arrest for the violation of IC 35-42-4-11, Residency restrictions for offenders against children, a class D felony.
2. Forward the case to Deputy Prosecutor Laura Zeman
3. Send an email to Laura Zeman and Greg Haltom

IC 35-42-4-11

Residency restrictions for offenders against children

35-42-4-11 Sec. 11. (a) As used in this section, "offender against children" means a person required to register as a sex offender under IC 11-8-8 who has been:

- (1) found to be a sexually violent predator under IC 35-38-1-7.5; or
- (2) convicted of one (1) or more of the following offenses:
 - (A) Child molesting (IC 35-42-4-3).
 - (B) Child exploitation (IC 35-42-4-4(b)).
 - (C) Child solicitation (IC 35-42-4-6).
 - (D) Child seduction (IC 35-42-4-7).
 - (E) Kidnapping (IC 35-42-3-2), if the victim is less than eighteen (18) years of

age.

(F) An offense in another jurisdiction that is substantially similar to an offense described in clauses (A) through (E).

(b) As used in this section, "reside" means to spend more than two (2) nights in a residence in any thirty (30) day period.

(c) An offender against children who knowingly or intentionally:

- (1) resides within one thousand (1,000) feet of:

- (A) school property;
- (B) a youth program center; or
- (C) a public park; or

(2) establishes a residence within one (1) mile of the residence of the victim of the offender's sex offense;
commits a sex offender residency offense, a Class D felony.

IC 35-42-4-10

Sexually violent predator; unlawful employment near children

35-42-4-10 Sec. 10. (a) As used in this section, "sexually violent predator" has the meaning set forth in IC 35-38-1-7.5.

(b) A sexually violent predator who knowingly or intentionally works for compensation or as a volunteer:

- (1) on school property;
- (2) at a youth program center; or
- (3) at a public park;

commits unlawful employment near children by a sexual predator, a Class D felony. However, the offense is a Class C felony if the person has a prior unrelated conviction based on the person's failure to comply with any requirement imposed on an offender under this chapter.

IC 35-41-1-24.7

"School property" defined

35-41-1-24.7 Sec. 24.7. "School property" means the following:

- (1) A building or other structure owned or rented by:

- (A) a school corporation;
- (B) an entity that is required to be licensed under IC 12-17.2 or IC 31-27;
- (C) a private school that is not supported and maintained by funds realized from the imposition of a tax on property, income, or sales; or
- (D) a federal, state, local, or nonprofit program or service operated to serve, assist, or otherwise benefit children who are at least three (3) years of age and not yet enrolled in kindergarten, including the following:
 - (i) A Head Start program under 42 U.S.C. 9831 et seq.
 - (ii) A special education preschool program.
 - (iii) A developmental child care program for preschool children.
- (2) The grounds adjacent to and owned or rented in common with a building or other structure described in subdivision (1).

IC 35-41-1-23.7

"Public park" defined

35-41-1-23.7 Sec. 23.7. "Public park" means any property operated by a political subdivision for park purposes (as defined in IC 36-10-1-2).

IC 35-41-1-29

"Youth program center" defined

35-41-1-29 Sec. 29. (a) "Youth program center" means the following:

- (1) A building or structure that on a regular basis provides recreational, vocational, academic, social, or other programs or services for persons less than eighteen (18) years of age.
- (2) The real property on which a building or structure described in subdivision (1) is located.
- (b) The term does not include school property (as defined in section 24.7 of this chapter).

IC 11-8-8-5

"Sex offender"

- 1. An individual who has been convicted of any of the following offenses:

- Rape (IC 35-42-4-1)
- Criminal Deviate Conduct (IC 35-42-4-2)
- Child Molesting (IC 35-42-4-3)
- Child Exploitation (IC 35-42-4-4b)
- Vicarious Sexual Gratification (IC 35-42-4-5)
- Child Solicitation (IC 35-42-4-6)
- Child Seduction (IC 35-42-4-7)
- Sexual Misconduct with a Minor as a Class A, B, or C felony (IC 35-42-4-9)
- Incest (IC 35-46-1-3)
- Sexual Battery (IC 35-42-4-8)
- Kidnapping, if the victim is less than 18 (IC 35-42-3-2)
- Criminal Confinement, if the victim is less than 18 (IC 35-42-3-3)
- Possession of Child Pornography if the person has a prior unrelated conviction for Possession of Child Pornography (IC 35-42-4-4c)

1. An individual who has been convicted of attempting to commit or conspiring to commit any of the above-listed offenses;
2. An individual who is required to register as a sex offender in any jurisdiction;
3. An individual who has been convicted of a crime, convicted of attempting to commit a crime, or convicted of conspiring to commit a crime under the laws of another state or in a military court that is substantially equivalent to any of the above-listed offenses; or
4. A child who is at least 14 years of age and is on probation or parole or is discharged from a facility by the department of correction, discharged from a secure private facility, or discharged from a juvenile detention facility as a result of being adjudicated as a delinquent child for an act that would be an offense listed above if committed by an adult (IC 31-37-1-1 to -2) and is found by a court to be likely to repeat an act that would be an offense listed above if committed by an adult (IC 31-37-19-5 (b)(1)).

IC 11-8-8-12

Temporary residence

Sec. 12. (a) As used in this section, "temporary residence" means a residence:

(1) that is established to provide transitional housing for a person without another residence; and

(2) in which a person is not typically permitted to reside for more than thirty (30) days in a sixty (60) day period.

(b) This section applies only to a sex offender who resides in a temporary residence. In addition to the other requirements of this chapter, a sex offender who resides in a temporary residence shall register in person with the local law enforcement authority in which the temporary residence is located:

(1) not more than seventy-two (72) hours after the sex offender moves into the temporary residence; and

(2) during the period in which the sex offender resides in a temporary residence, at least once every seven (7) days following the sex offender's initial registration under subdivision (1).

(c) A sex offender's obligation to register in person once every seven (7) days terminates when the sex offender no longer resides in the temporary residence. However, all other requirements imposed on a sex offender by this chapter continue in force, including the requirement that a sex offender register the sex offender's new address with the local law enforcement authority.

As added by P.L.140-2006, SEC.13 and P.L.173-2006, SEC.13.

IC 11-8-8-18

Sexually violent predator; duty to notify

Sec. 18. (a) A sexually violent predator who will be absent from the sexually violent predator's principal residence for more than seventy-two (72) hours shall inform the local law enforcement authority, in person or in writing, of the following:

(1) That the sexually violent predator will be absent from the sexually violent predator's principal residence for more than seventy-two (72) hours.

(2) The location where the sexually violent predator will be located during the absence from the sexually violent predator's principal residence.

(3) The length of time the sexually violent predator will be absent from the sexually violent predator's principal residence.

(b) A sexually violent predator who will spend more than seventy-two (72) hours in a county in which the sexually violent predator is not required to register shall inform the local law enforcement authority in the county in which the sexually violent predator is not required to register, in person or in writing, of the following:

(1) That the sexually violent predator will spend more than seventy-two (72) hours in the county.

(2) The location where the sexually violent predator will be located while spending time in the county.

(3) The length of time the sexually violent predator will remain in the county.

Upon request of the local law enforcement authority of the county in which the sexually violent predator is not required to register, the sexually violent predator shall provide the local law enforcement authority with any additional information that will assist the local law enforcement authority in determining the sexually violent predator's whereabouts during the sexually violent predator's stay in the county.

(c) A sexually violent predator who knowingly or intentionally violates this section commits failure to notify, a Class A misdemeanor. However, the offense is a Class D felony if the person has a prior unrelated conviction under this section based on the person's failure to comply with any requirement imposed on a sex offender under this chapter.

As added by P.L.140-2006, SEC.13 and P.L.173-2006, SEC.13.


Communication Procedures.pdf

911 UNKNOWN


DO NOT tell caller you are sending officers to check on them.

Incoming E911	Information Dumped
Landline	Address Telephone Number Resident Name
Cell Phone	Cell Phone Number Possible GPS Location
Phase II Cell Phone	Cell Phone Number Phone Carrier Cell Latitude/Longitude within 600 feet of actual location
Voice Over Internet Protocol (VOIP)	Name Address may not be correct
Express Dial Tone	Incorrect Address


1. Hang-up

- A. Dump the information into CAD via 
- B. Call person back to check if everything is okay.
 - i. *Sentinel 911*: [Ringback] calls person back if you haven't hung up yet
 - ii. DO NOT tell caller you are sending officers
- C. Dispatch WLPD to location for "911 hang-up"
 - i. Express Dial Tone – unable to send anyone b/c address info is incorrect
- D. Notes: Hang-up.
 - i. Additional notes: Note if there is any answer on call back.

2. Misdial

- A. DO NOT tell caller you are sending officers
- B. Dump the information into CAD via 
- C. Dispatch WLPD: "<Location>, 911 call, subject advised misdial."
- D. Notes: Subject advised misdial.

3. Open Line/Static

- A. Dump the information into CAD via 
- B. Dispatch WLPD: "<Location>, 911 call, open line."
- C. Notes: Open line/Static.

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ABANDONED BICYCLE

Get location, description of bicycle, name/contact number
Dispatch 196 – give location, nature, description of bicycle
If 196 is 10-42: Print CAD sheet to WLACO printer and email 196.
Notes: Description of bicycle

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ABANDONED VEHICLE

(22)

1. **Civilian report of abandoned vehicle:**
 - A. Get location, vehicle description, license plate, length of time vehicle has been there, name/contact number
 - i. Vehicle must be in a parking lot to be marked as abandoned. If vehicle is on a street, becomes TRAFFIC 24 HR TAG.
 - B. Enter vehicle information in [Veh] – plate, year, model, make, color (info from 10-28)
 - C. Email all information to 22 (Subject: Abandoned vehicle)
 - i. 22 will tow vehicle no earlier than 72 hours
2. **22 calling:**
 - A. Locate case in CAD
 - B. Enter vehicle information in [Veh] – plate, year, model, make, color (info from 10-28)
 - C. If hook is needed, click [Veh], select towing company
 - D. Print CAD sheet to our printer in case owner calls in w/ missing car

ACCIDENT HIT AND RUN

1. **If in progress:**
 - A. Immediately get location of 10-50, time delay, suspect vehicle description, direction they were heading, possible damage, license plate, description of driver
 - i. If have plate info, send 10-28 to units on the call
 - ii. Enter vehicle information in [Veh] – plate, year, model, make, color
 - B. Dispatch WLPD (“Attention WL Units”) to try and locate suspect vehicle: give nature, location of 10-50, time delay, suspect vehicle description, direction they were heading, possible damage, license plate, description of driver
 - C. After dispatching suspect vehicle info, get location of victim, description of victim vehicle, damage, name/contact number
 - D. Notes: “H&R to <victim vehicle description>. Suspect vehicle: <vehicle description>, <license plate w/ state>, <possible damage>.”
2. **If occurred to occupied vehicle, but victim delayed reporting incident...**Dispatch should check with shift command and the compl will need to come into HQ to file report.
3. **If occurred to unoccupied vehicle:**
 - A. Get address, description of victim vehicle, damage, time delay, name/contact number
 - B. Dispatch WLPD – give location, nature w/ time delay, description of victim vehicle
 - C. Notes: Victim vehicle description, damage

ACCIDENT PD

Get location, description of vehicles involved, if anyone is hurt (if so, becomes 10-50 PI), if both vehicles are still at the scene (if not, becomes 10-50 Hit and Run), name/contact number

Dispatch WLPD – give location, nature, description of vehicles involved

Notes: Description of cars involved

Enter vehicle information in [Veh] – plate, year, model, make, color (info from 10-28)

If towing is needed (and it's not by owner's request), click [Veh] and select towing company

Triple A = Jim's

Towing company needs to know if car is front wheel drive.

If parties left the scene – accident must have occurred w/in 2 HOURS and both parties must be present

Ask them first what time accident occurred before you tell them about 2 hour limit

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ACCIDENT PI

Immediately get location, number of injured subjects, description of injuries
Tell TCPD immediately so medic can be dispatched
Must spawn a call to TCPD so medic can be dispatched! Does not happen automatically!
Dispatch WLPD and WLFD simultaneously – give location, nature, number of injured subjects and description of injuries
Get description of vehicles, name/contact number
Notes: Description of vehicles, description of injuries
Additional notes: TEAS ####, hospital
Enter vehicle information in [Veh] – plate, year, model, make, color (info from 10-28)
If towing is needed (and it's not by owner's request), click [Veh] and select towing company

ACCIDENT UNKNOWN

Begin w/ nature code 'ACCIDENT PI'

Immediately get location, description of vehicles
Tell County immediately so medic can be dispatched for possible injuries
Must spawn a call to TCPD so medic can be dispatched! Does not happen automatically!
Dispatch WLPD and WLFD simultaneously for "10-50 unknown" – give location, description of vehicles
Officer will transmit whether PD or PI when 10-23. May have to Sig 9 medics and WLFD if 10-50 PD.
Get name/contact number
Notes: Description of vehicles
Additional notes: Description of injuries, if any, acc. to officer on scene -OR- "PD only."
Additional notes: TEAS ####, hospital
Enter vehicle information in [Veh] – plate, year, model, make, color (info from 10-28)
If towing is needed (and it's not by owner's request), click [Veh] and select towing company

ALARM HOLD UP/BURGLAR/PANIC

The alarm companies will not make contact with any business or residence when it is a silent, panic, or duress alarm.

1. Security company calling re open business

- A. Get location, business name, area of business triggering alarm, if keyholder is en route/vehicle description/ETA, name/contact number
- B. Dispatch 2 WLPD ("Unit ### and unit to assist...") – give location, nature, area of business
- C. Notes: Area of alarm, whether keyholder enrt (if so, note name, ETA, and vehicle description)
- D. [Caller]: Name//Empl, [Address]: Security Company
- E. When officers arrive and have location surrounded, they will ask you to make contact w/ the business.
 - i. Call business and ask if everything is okay
 - ii. If they state it was an accident, ask them to send an employee out to meet officers
 - iii. Get what door they will be coming from and what the employee will be wearing
 - a. Transmit this info to officers
- F. Can only disregard false alarm authority alarm company. If business calls, tell them they need to contact alarm company.

2. Security company calling re closed business

- A. Get location, business name, area of business triggering alarm, if keyholder is en route/vehicle description/ETA, name/contact number
- B. Dispatch 2 WLPD ("Unit ### and unit to assist...") – give location, nature, area of business
- C. Notes: Area of alarm, whether keyholder enrt (if so, note name, ETA, and vehicle description)
- D. [Caller]: Name//Empl, [Address]: Security Company
- E. Officers will check entry points and inside business if unsecured entry point
 - i. Do not transmit to officers while they are searching business

3. Security company calling re residence

- A. Get location, area of residence triggering alarm, if they have made contact w/ resident, name/contact number
- B. Dispatch 2 WLPD ("Unit ### and unit to assist...") – give location, nature, area of residence/business
- C. Notes: Area of alarm
- D. [Caller]: Name//Empl, [Address]: Security Company
- E. Officers will check entry points and inside residence if unsecured entry point
 - i. Do not transmit to officers while they are searching residence
- F. Can only disregard false alarm authority alarm company. If resident calls, tell them they need to contact alarm company.

4. Resident calling

- A. Get location, tell them to lock themselves in a secure room, *stay on the line with them!*
- B. Dispatch 2 WLPD ("Unit ### and unit to assist...") – give location, nature
- C. Get name/contact number
- D. Officers will check entry points and inside residence if unsecured entry point
 - i. Do not transmit to officers while they are searching residence
- E. If nothing suspicious, officer will ask you to have resident come out of secure room to meet them – stay on the line with resident if possible

5. **Bank** – “silent hold up, glass break, motion detector, etc...”
 - A. Get location, bank name, type of alarm, name/contact number
 - B. Use the #2 tone to dispatch WLPD: “Attention WL units, bank alarm at <address>, <name of bank>, <repeat address>”
 - C. Notes: Type of alarm
 - D. When you receive an active alarm for one of the banks, you will establish contact by dialing the number associated with the bank, and ask “IS DIGBY THERE?” The bank’s response should be NO for a False Alarm. If the bank answers YES, dispatch will advise all officers that contact has been made with the bank, and proceed with EXTREME CAUTION. Dispatch is not to transmit that improper code was given.

ALL FALSE ALARMS ARE ASSIGNED A CASE NUMBER!

If alarm company cancels while WLPD is still en route to location, do not assign case number.

ANIMAL COMPLAINT

WLACO is not an exterminator!

1. **Animal complaint (barking, etc)**
 - A. Get location of offending animal, type of complaint, name/address/contact number
 - B. Dispatch WLACO – give location, nature
 - i. If WLACO is 10-42, dispatch WLPD – give location, nature
 - C. Notes: Details of complaint.
2. **Injured domestic animal, contained**
 - A. Get location, type of animal, nature of injury, name/contact number
 - B. Dispatch WLACO – give location, nature
 - i. If WLACO is 10-42, advise owner to contact PU Animal Clinic or Tippecanoe Humane Society
 - a. PU Small Animal Clinic 765 494 8397
 - b. Tippecanoe Humane Society 765 474 5222
3. **Stray animal, contained**
 - A. Get location, name/contact number
 - B. Dispatch WLACO – give location, nature
 - i. If WLACO is 10-42:
 - a. Advise compl to keep animal until ACO is 10-41
 - b. Advise compl to bring it to the Humane Society
 - c. Advise compl to let it go
 - d. Dispatch WLPD – give location, nature
4. **Lost animal**
 - A. Get location animal is missing from, description of animal (breed, color, approx weight, age, special markings, name, collar), time delay, name/contact number
 - i. Ask compl if we can give out their number if their animal is found
 - B. Compl also needs to contact Humane Society to see if animal was brought in
 - C. Print CAD to our printer in case someone finds animal
4. **Found animal, contained**
 - A. Get location animal was found, description of animal (breed, color, approx weight, age, special markings, collar), name/address/contact number
 - B. Dispatch WLACO – give location, nature
 - i. If WLACO is 10-42:
 - a. Advise compl to keep animal until ACO is 10-41
 - b. Advise compl to bring it to the Human Society
 - c. Dispatch WLPD – give location, nature
 - C. Print CAD to our printer in case owner calls in
6. **10-50 Vehicle-Animal**
 - A. Get location, description of vehicle involved, if anyone is hurt (if so, becomes 10-50 PI), type of animal involved, name/contact number
 - B. Dispatch WLPD – give location, nature, description of vehicle involved, type of animal involved
 - C. Notes: Description of vehicle involved, type of animal involved
 - D. Enter vehicle information in [Veh] – plate, year, model, make, color (info from 10-28)
 - E. If towing is needed (and it's not by owner's request), click [Veh] and select towing company
7. **Road kill**
 - A. Get location, type of animal, name/contact number

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- B. Dispatch WLACO – give location, nature, type of animal
 - i. If WLACO 10-42, dispatch WLPD *only* if animal is a traffic hazard. Otherwise print CAD sheet to WLACO's printer and send him an email.

Any associated paperwork should be printed to "hp deskjet 5550 series"
Thursday AM: 196 WLACO acts as court bailiff

ASSIST OTHER DEPT

Occurs when TCPD/LPD/PUPD spawns a call to us for assistance

AUTO DAMAGE NOT ACCIDENT

(i.e. shopping cart runs into vehicle, causing damage)

Get location, vehicle description, description of damage, time delay, name/contact number
Dispatch WLPD – give location, nature, vehicle description, description of damage
Notes: Description of vehicle and damage

AUTO THEFT

Make sure vehicle was not towed!

1. If in progress:

- A. Immediately get location occurred, vehicle description, direction of travel, description of suspect
- B. Dispatch WLPD – give location, nature, vehicle description, direction of travel
- C. Ask if suspect is known to compl
 - i. If suspect's name is on the registration, it is *not* auto theft
 - ii. If compl gave suspect permission to use the vehicle, becomes UNAUTHORIZED CONTROL
- D. Get name/contact number
- E. Notes: Vehicle description, direction of travel, description of suspect
- F. Enter vehicle information in [Veh] – plate, year, model, make, color (info from 10-28)

2. If significant time delay:

- A. Get location vehicle was last in, vehicle description, license plate, possible suspects, name/contact number
- B. Dispatch WLPD – give location, nature, time delay, let them know all towing companies were contacted
- C. Notes: Vehicle description, time delay
- D. Enter vehicle information in [Veh] – plate, year, model, make, color (info from 10-28)

BATTERY**1. If in progress:**

- A. Immediately get location, suspect description, direction suspect was last seen heading, description of injuries, if medic is needed
 - i. If medic is needed...
 - a. Spawn the call to TCPD
 - b. Dispatch WLFD for medical dispatch – give location, nature, description of injuries
- B. Immediately dispatch WLPD – give location, nature, suspect description, direction suspect was last seen heading
- C. Get possible suspects, possible reason for battery, name/contact number
- D. Notes: Suspect description, direction suspect was last seen heading, injuries sustained by victim
 - i. Additional notes: TEAS ####, hospital

2. If significant time delay:

- A. Get location, time delay, suspect description, last known location of suspect, description of injuries, if medic is needed, name/contact number
 - i. If medic is needed...
 - a. Spawn the call to TCPD
 - b. Dispatch WLFD for medical dispatch – give location, nature, description of injuries
- B. Dispatch WLPD – give location, nature, time delay, suspect description, last known location of suspect
- C. Notes: Time delay, suspect description, direction suspect was last seen heading, injuries sustained by victim
 - i. Additional notes: TEAS ####, hospital

Domestic calls or fights may be changed to BATTERY nature code after someone is charged w/ battery.

BURGLARY**1. If in progress:**

- A. Immediately get location, description of suspects, if they have any weapons
- B. Immediately dispatch WLPD – give location, nature, description of suspects, any known weapons
- C. Get number of people in the residence, advise caller to lock themselves and others in a secure room, *stay on the line with them!*
- D. Advise WLPD of where caller is at in the residence
- E. Ask if suspects are known to caller
- F. Keep updated! If suspects leave, are they in a vehicle or on foot?
 - i. If in vehicle, get description of vehicle, direction of travel
 - ii. If on foot, get direction of travel
- G. Notes: Description of suspects, any known weapons

2. If significant time delay:

- A. Get location, time delay, description of items stolen, possible suspects, name/contact number
- B. Advise compl not to touch anything
- C. Dispatch WLPD – give location, nature, time delay, description of items stolen
- D. Notes: Time delay, description of items stolen

CHILD MOLEST

Get location molestation occurred, time delay, suspect description/information, current location, name/relation to child/contact number

Get mother's name

Do NOT put child's name anywhere in CAD sheet!

Dispatch WLPD – give location, nature, time delay, suspect description or information

May need to contact CPS

CIVIL MATTER

Nature code may get switched to "Civil Matter" after officers arrives at scene.

Police will not get involved w/ a civil matter.

CHECK WELL BEING

(Of person)

1. General

- A. Get location, reason for check well being, description of person, if medic is needed, possible injuries, name/contact number

- i. If medic is needed...

- a. Spawn the call to TCPD
 - b. Dispatch WLPD for medical dispatch – give location, nature, description of injuries
 - B. Dispatch WLPD – give location, nature, description of person
 - C. Notes: Reason for check well being, description of person
 - i. Additional notes: TEAS ####, hospital

2. Relative – Caller is out-of-town

- A. Get location, reason for check well being, description of person, description of vehicles, name/relation of caller/contact number
- B. Dispatch WLPD – give location, nature
- C. Notes: Reason for check well being, description of person and vehicles

3. Homeless person

- A. Get location, description of person, name/contact number
- B. Dispatch WLPD – give location, nature, description of person
- C. Notes: Description of person

4. Elderly person

- A. Get location, age of person, any medical problems/prescriptions, description of vehicles, name/relation of caller/contact number
- B. Dispatch WLPD – give location, nature, age of person
- C. Notes: Age of person, medical problems, description of vehicles

COURTESY CALL/NOISE

Use when officers come across violation of city noise ordinance (self-initiated).

Assign case number for written warnings and citations

Check [Call Hist] – transmit previous dates/notes if prior noise complaints

CRIMINAL MISCHIEF**1. Vandalism to vehicle**

- A. Get location, vehicle description, time delay, description of damage, name/contact number
- B. Dispatch WLPD – give location, nature, time delay, vehicle description
- C. Notes: Vehicle description, description of damage, time delay

2. Vandalism to property

- A. Get location, time delay, description of damage, name/contact number
- B. Dispatch WLPD – give location, nature, time delay, description of damage
- C. Notes: Description of damage, time delay

DELIVER MESSAGE

(Out-of-town family members are unable to contact someone, etc.)

Get location to deliver message, person to be contacted, vehicle description, message to be delivered, name/relation to person/contact number

Dispatch WLPD – give location, nature, message

Notes: Message

DISABLED VEHICLE**1. If blocking traffic**

- A. Get location, vehicle description, what traffic is affected, name/contact number
- B. Advise them to put their flashers on.
- C. Dispatch WLPD – give location, nature, vehicle description, traffic affected
- D. Notes: Vehicle description, traffic affected
- E. Officer cannot jump vehicle for liability reasons.

2. If self-initiated

- A. Run 10-28 – send info to unit's MDT, check local 10-29 on registered owner
- B. Enter vehicle information in [Veh] – plate, year, model, make, color

DOMESTIC

(10-16)

Immediately get location! Check if there are any weapons! Check if battery has occurred!

Dispatch WLPD – “Attention WL units, active 10-16 at <location>.”

Ask if medic is needed, get description of injuries

If medic is needed...

Spawn the call to TCPD

Dispatch WLPD for medical dispatch – give location, nature, description of injuries.

Have WLPD stand by in the area until officers make scene.

Get name and DOB of parties involved to check 10-29

Try to keep caller on the phone until units arrive!

Keep updated! If suspect leaves: get last known direction of travel/possible destination, description of vehicle, description of subject, possible weapons

Notes: General description of situation and suspect information

Additional notes: Vehicle description and last known direction of travel if subj fled

Additional notes: TEAS ####, hospital

DEPT INFO WLPD

Self-initiated

May need to assign case number to generic CAD sheet

DRUG LAW VIOLATION

Get location of violation, name/description of subjs involved, name/address/contact number

Dispatch WLPD – give location, nature, description of subjs

Notes: "Compl advises use/smell/etc of Sig 60."

Check local 10-29 on all parties involved

Check all parties/addresses involved in RMS for Sig 60 alerts

Nature code may be changed to Drug Law Violation from Traffic Stop, etc.

DRUNK DRIVER

(10-55)

Immediately get location, direction of travel, description of vehicle, license plate

Send 10-28 to units responding to call

Dispatch WLPD – give location, nature, direction of travel, vehicle description

Get description of offensive driving (driving left of center, swerving, excessive speeding, etc.)

Nameblock caller: get name/address/contact number if they are willing to give statement to officer

Notes: Possible 10-55, direction of travel, vehicle description, general description of offensive driving

Must wait 20 minutes to administer breathalyzer:

Officer will say "Mark time Signal 42."

Notes: Mark time Sig 42

Transmit to officer "###, your mark time is ---."

EXPATROL

(Extra Patrol)

Get location, reason for extra patrol, time span, description of vehicles that will be in the area, name/contact number of keyholders

Notes: Reason for extra patrol, description of vehicles that will be in the area, name/contact number of keyholders

Send MDT message to appropriate district/city cars and shift command

Send email to WLPD ALL

Print CAD sheet to our printer and the report room

FIGHT (10-10)

Immediately get location of fight

Dispatch WLPD – “Attention WL units, 10-10 at <location>.”

Get weapons involved, number of people involved, description of people involved

Ask if medic is needed, get description of injuries

Spawn the call to TCPD

Dispatch WLFD for medical dispatch – give location, nature, description of injuries

Have WLFD stand by in the area until officers make scene.

Keep updated! Stay on the phone w/ the caller until units arrive on scene – keep checking location, update status of fight

Notes: Description of people involved, description of any injuries

Additional notes: TEAS ####, hospital

FIRE ALARM

1. Security company calling

- A. Get location, resident/business name, area of residence/business triggering alarm, if they have they made contact w/ resident, if a keyholder is enrt/vehicle description/ETA, name/contact number
- B. Dispatch WLFD – give location, nature, area of residence/business
- C. Dispatch WLPD – give location, nature, area of residence/business
- D. Notes: Area of alarm, if keyholder is enrt (if so, ETA and vehicle description)
- E. [Caller]: Name//Empl, [Address]: Security Company

2. Resident calling

- A. Get location, if flames/smoke visible
- B. Advise caller to get all people out of residence
- C. Dispatch WLFD – give location, nature, whether flames/smoke visible
- D. Dispatch WLPD – give location, nature, whether flames/smoke visible
- E. Notes: Whether flames/smoke visible

3. Pull alarm

- A. Get exact location (i.e. w/in apartment complex), if flames/smoke visible
- B. Advise caller to get all people out of residence
- C. Dispatch WLFD – give location, nature, whether flames/smoke visible
- D. Dispatch WLPD – give location, nature, whether flames/smoke visible
- E. Notes: Pull alarm. State whether flames/smoke visible

FALSE ALARMS...

If security company calls back and advises false alarm while WLFD is still enrt:

Advise WLFD to Sig 9, authority alarm company.

Notes: Sig 9, authority <alarm company>.

If unit on scene advise of false alarm:

Change “Ser” field to *LAW* and assign case number

Notes: {###} advised false alarm.

Print to Patrol. *Make sure WLPD officer is primary and still on the call when you print call!!*

FIRE BUILDING/STRUCTURE

Immediately get location, if flames/smoke are visible
Dispatch WLFD – give location, nature, whether flames/smoke visible
Dispatch WLPD – give location, nature, whether flames/smoke visible
Advise caller everyone needs to get out of the building
Ask if there are more people in the building
Transmit this info to WLPD and WLFD
Send TEAS to stand by in the area.
Spawn the call to TCPD
Transmit info to WLFD – restate location and nature and give description of injuries
If caller is out of the building and safe, get name/contact number
Notes: Whether flames/smoke visible
Additional notes: TEAS ####, hospital

FIRE CALL MISC

1. Blown transformer
 - A. Get location, whether or not power is out, name/contact number
 - B. Dispatch WLFD – give location, nature
 - C. Notes: Blown transformer
 - i. Additional notes: Pole number
 - D. Call Duke Energy – give location, nature, whether power is out
 - i. Additional notes: DE contacted, <ETA>
 - ii. Transmit to WLFD “10-43 Duke Energy contacted, <ETA>.”
1. Smell of natural gas
 - A. Get location, name/contact number
 - B. Dispatch WLPD to verify smell of natural gas – give location, nature
 - C. Notes: Smell of natural gas
 - D. Once smell is verified, dispatch WLFD – give location, nature
 - E. Contact Vectren w/ location, nature
 - i. Additional notes: Vectren contacted, <ETA>
 - ii. Transmit to WLFD “10-43 Vectren contacted, <ETA>.”

FIREWORKS

Get location, name/contact number
Dispatch WLPD – give location, nature

GAS LEAK

Get location, if affecting traffic, name/contact number
Dispatch WLFD – give location, nature
If affecting traffic, dispatch WLPD – give location, nature
Contact Vectren w/ location, nature
Notes: Whether affecting traffic
Additional notes: Vectren contacted, <ETA>
Transmit to WLFD “10-43 Vectren contacted, <ETA>.”

FIRE GRASS AND TRASH

Use when dumpsters are set on fire.

Get location, if there is anything in the area that could catch on fire, possible suspects, name/contact number
Dispatch WLFD – give location, nature
Keep updated! Stay on the phone with caller in case anything else catches on fire.

FIRE ODOR

Get location, if flames/smoke are visible, name/contact number
Dispatch WLFD – give location, nature
Notes: Whether flames/smoke visible

FIRE VEH

Get location, possible reason for fire, description of vehicle, if anyone is in the vehicle, anything in area that could catch on fire, name/contact number
If medic is needed...
 Spawn the call to TCPD
 Dispatch WLFD for medical dispatch – give location, nature, and description of injuries
Dispatch WLPD and WLFD simultaneously ASAP – give location, nature
Keep updated! Stay on the phone with caller in case anything else catches on fire.
Notes: Vehicle description, description of injuries (if any)
 Additional notes: TEAS ####, hospital

FLAG DOWN

Officer is flagged down by pedestrian.
Self-initiated

FOLLOW UP

Self-initiated

Notes: Ref case ##-#### (if known)

FOUND PROPERTY

1. Civilian calling in:
 - A. Get location, description of item, name/contact number
 - B. Dispatch WLPD – give location, nature
 - C. Notes: Description of property
2. Self-initiated
 - A. Note: Found ____.
 - B. If property is too large to fit in squad car (i.e. bicycle), dispatch WLACO

FOUND CHILD

Get location, description of child, name/contact number
Dispatch WLPD – give location, nature, description of child
Do not put child's name in CAD sheet!

FRAUD

1. Counterfeit bill

- A. Get location, approximate time bill was collected, description of person, description of vehicle subj left in, whether there is any surveillance video, name/contact number
- B. Dispatch WLPD – give location, nature
- C. Notes: Counterfeit bill, description of person

2. Fraudulent mail

- A. Get location, company mail was received from, general description of fraud, whether compl still has copy of letter, name/contact number
- B. Dispatch WLPD – give location, nature
- C. Notes: General description of fraud

HARASSMENT

Get location harassment occurred, type of harassment, suspect, time delay, name/contact number
Dispatch WLPD – give location, nature, description of harassment, time delay
Notes: Description of harassment, time delay

HARASSMENT/PHONE

Get how often compl is receiving harassing calls, possible suspect info, time delay, name/contact number
Dispatch WLPD – give location, nature
Notes: Description of harassment, time delay

IDENTITY THEFT

Get possible suspect info, name/contact number
Advise caller to cancel credit cards
Dispatch WLPD – give location, nature
Notes: Possible suspect info

INDECENT EXPOSURE

Get location, description of person, direction person was last seen heading, name/contact number
Dispatch WLPD – give location, nature, description of person, direction offender was last seen heading
Notes: Description of person, direction offender was last seen heading

JUVENILE PROBLEM

Get location, description of problem, name/age of juvenile, name/contact number
Dispatch WLPD – give location, nature, description of problem
Do not put juvenile's name in CAD sheet!
Notes: Description of problem

LOST PROPERTY

We will document, but won't take report
Get description of item lost, approximate location lost, name/contact number
Advise compl to cancel credit cards, if needed
Ask compl if we can give out their number if their property is found
Notes: Description of item lost
Print CAD sheet to our printer in case someone finds the property
Give them event number if needed for insurance purposes, etc.

MEDICAL PROBLEM

Automatically spawns to TCPD!!

Get location, major complaint, what entrance to use, name/contact number
Dispatch WLFD first – give location, nature, major complaint, what entrance to use
Arnett Emergency Clinic – NEVER send WLFD!!!
Dispatch WLPD if life-threatening, involves alcohol/drugs, or person is hostile or 10-96 – give location, nature, major complaint
Notes: Main complaint, note if they requested no fire

MENTAL PROBLEM

(10-96)

Get location, description of problem, description/name of 10-96, name/contact number
Dispatch WLPD – give location, nature, description of problem, description of 10-96
Notes: Description of problem, description of 10-96
May need to contact Wabash Valley Hospital

MINOR CONSUMING

Get location, name/age of minor, how compl came about info, name/contact number
Dispatch WLPD – give location, nature
Do not put name of minor in CAD sheet!

MISC COMPLAINTS

Catchall for any event not covered by existing Nature code

MISSING PERSON

Get location person is missing from, name/DOB of missing person, description of person, any medical history, time last seen, description of vehicles, possible destinations, name/contact number
Dispatch WLPD – give location, nature, description of person
If apartment needs to be checked, contact management for access to apartment
Notes: Description of person, time delay

NO TOW

Get location, description of vehicle, license plate, reason for no tow, when vehicle will be removed, name/contact number
Notes: Description of vehicle, license plate, reason for no tow, when vehicle will be removed
Send MDT message to appropriate district/city cars and shift command
Send email to WLPD ALL
Print CAD sheet to our printer

You cannot give someone permission to leave their vehicle on private property.

NOISE COMPLAINTS

Use when noise complaint is called in.

Get location, description of noise, name/address/contact number
Dispatch WLPD – give location, nature, description of noise
Check [Call Hist] – transmit previous dates/notes if prior noise complaints
Notes: Description of noise
Assign case number for written warnings or citations. Verbal warnings do not get a case number.

NON-MEDICAL RUNS

(Lifting assistance, etc.)

Get location, type of assistance needed, name/contact number
Dispatch WLPD – give location, nature, description of assistance needed
Notes: Lifting assistance, etc.

OPEN DOOR

Get location, location of door on building, name/contact number
Dispatch WLPD – give address, nature, door location
Do not transmit to WLPD while they are searching building for intruders!
Notes: Location of door
Contact keyholder to alert them of problem
If keyholder enrt, get vehicle description and ETA
Additional notes: Keyholder <name> enrt, <ETA>, vehicle description

PARKING PROBLEM**1. Parking affecting flow of traffic**

- A. Get location, description of vehicle, name/contact number
- B. Dispatch WLPD Parking – give location, vehicle description, description of problem
 - i. If WLPD Parking 10-42, dispatch WLPD – give location, vehicle description, description of problem
- C. Notes: Description of vehicle and problem

2. Assistance out of parking space

- A. Get location, description of vehicle, name/contact number
- B. Advise caller to turn on flashers
- C. Dispatch WLPD – give location, nature
- D. Notes: "Assistance needed out of parking space."

PROTECTIVE ORDER VIOLATION

Get location, name/description of offender, find out if he's still at the location, name/contact number

Dispatch WLPD – give location, nature, description of offender

If offender is no longer at location, find out what direction he was heading and if he left by foot or by vehicle. If by vehicle, get description of vehicle.

Notes: Description of offender

PUBLIC INTOX**1. If civilian calling in:**

- A. Get location, description of person, direction last seen heading, name/contact number
- B. Dispatch WLPD – give location, nature, description of person, direction last seen heading
- C. Keep updated! Stay on the phone with caller and continually check for updates on person's location and actions.
- D. Notes: Description of person, direction last seen heading

2. Self-initiated

- A. Get location

RAPE**1. If just occurred:**

- A. Immediately get location, time delay, description of suspect, last known direction of travel
 - i. Enter location on ISR as ####-BLK <Street name>
- B. Dispatch WLPD – give location, nature, time delay, description of suspect, last known direction of travel
- C. Medic is needed:
 - i. Spawn the call to TCPD
 - ii. Dispatch WLFD for medical dispatch – give location, nature, and description of injuries
 - a. Have WLFD stand by in the area until officers make scene.
- D. Does victim know her attacker?
- E. Get name/contact number
 - i. Do NOT put victim's name anywhere in CAD sheet!
- F. Keep updated! Stay on the phone with caller until officers arrive on scene.
- G. Notes: Description of suspect, last known direction of travel
 - i. Additional notes: TEAS ####, hospital

2. If significant time delay:

- A. Get location, time delay, description of suspect, if suspect was known to victim, name/contact number
 - i. Enter location of ISR as ####-BLK <Street name>
 - ii. Do NOT put victim's name anywhere in CAD sheet!
- B. Ask if medic is needed.
 - i. If medic is needed:
 - a. Spawn the call to TCPD
 - b. Dispatch WLFD for medical dispatch – give location, nature, and description of injuries
- C. Notes: Description of suspect, time delay
 - i. Additional notes: TEAS ####, hospital

RECKLESS DRIVER/TRAFFIC

Signal 23

Immediately get location, description of car, license plate, direction of travel

Send 10-28 to units responding to call

Dispatch WLPD – give location, nature, description of vehicle, license plate, direction of travel

Get name/contact number

Notes: Vehicle description, last known direction of travel

REPO

Get location, description of vehicle, license plate, name of owner, name/company/contact number

Notes: Vehicle description, license plate number

Print CAD sheet to our printer in case owner calls in wanting to report vehicle stolen.

ROBBERY

1. If in progress to a business:
 - A. Immediately get location
 - B. Dispatch WLPD – “Attention WL units, active robbery at <location>!”
 - C. Get description of suspects, if any weapons are seen, if suspects are known to them (i.e. former employees)
 - D. Keep updated! Stay on the phone with caller as long as possible.
 - E. Notes: Description of suspects, weapons
2. If in progress to a residence:
 - A. Immediately get location
 - B. Dispatch WLPD – “Attention WL units, active robbery at <location>!”
 - C. Get description of suspects, if any weapons are seen, if suspects are known to them
 - D. Advise resident to get to a secure location
 - E. Keep updated! Stay on the phone with caller as long as possible.
 - F. Notes: Description of suspects, weapons
3. If significant time delay:
 - A. Get location, description of suspects, time delay, if there is surveillance video, name/contact number
 - B. Dispatch WLPD – give location, nature, time delay
 - C. Notes: Description of suspects, time delay

SHOTS FIRED/HEARD SOMEWHERE

Immediately get location
Dispatch WLPD – give location, nature
Get number of shots, name/contact number
Notes: Number of shots fired/heard
If there are additional callers, get their location, name/contact number – try to pinpoint where shots are coming from
Transmit 10-43 to WLPD

SEX OFFENSE
(Grabbing, etc)

Get location offense occurred, time delay, general description of what occurred, suspect description/information, name/contact number
Enter location: ###-BLK Street name
Do NOT put victim's name in CAD sheet.
Dispatch WLPD – give location, nature, suspect description/information
Notes: Suspect description/information
Do not put type of assault in notes.

SKATEBOARDERS

Get location, number/description of skateboarders, name/contact number
Dispatch WLPD – give location, nature, number/description of skateboarders
Notes: Number/description of skateboarders

SOLICITOR/GENERAL

Get location, description of solicitor, last known direction of travel, method of travel, time delay, name/contact number

Dispatch WLPD – give location, nature, description of solicitor, last known direction of travel, method of travel

Notes: Description of solicitor, last known direction of travel, method of travel

SPEAK TO SUBJECT

Self initiated

STAND BY DETAIL**1. CPS**

A. Get location, name of parent(s), CPS vehicle description, time they will be going to location, name/contact number

i. We will send officer when CPS calls to let us know they have arrived

ii. Check local 10-29 on parents

B. Notes: Standby w/ CPS, vehicle description

C. Dispatch WLPD *when CPS has arrived* – give location, nature, CPS vehicle description

2. Custody Exchange

A. Get location, name of parents, description of vehicle parent will be in to meet officer, time they will be going to location, name/contact number

i. Check local 10-29 on parents

B. Make sure parent has copy of custody order.

C. Notes: Custody exchange b/t ____ and ____.

D. Dispatch WLPD *when parent has arrived* – give location, nature, description of vehicle

3. Eviction

A. Get location, name of evictee, description of evictor, name/contact number

B. Check local 10-29 on evictee

C. Dispatch WLPD – give location, nature, description of evictor

D. Notes: Eviction

SUICIDE/SUICIDAL SUBJECT

Immediately get location of suicidal person and ask if person has a weapon

Dispatch WLPD – give location, nature, whether there are any weapons

Get description of suicidal person

Do not put suicidal person's name in CAD sheet

Enter location as ####-BLK <Street Name>

If they live in apartment complex and may be at home, call apartment manager to let officers in

Transmit to WLPD description of suicidal person

Dispatch TEAS and WLFD to stand by in the area until officers make scene.

Spawn the call to TCPD

Dispatch WLFD for medical dispatch – give location, nature

Get suicidal person's vehicle description, possible reasons for attempted suicide

Get name/contact number, relation to suicidal person

1/14/2008

SUSPICIOUS INCIDENT

Get location, description of suspicious incident, name/contact number
Dispatch WLPD – give location, description of suspicious incident
Notes: Description of suspicious incident

SUSPICIOUS PERSON

Get location, description of suspicious person, name/contact number
Get reason why the person is suspicious (What are they doing?)
Dispatch WLPD – give location, nature, description of suspicious person
Keep updated! Stay on the phone with caller until officers arrive.
Notes: Description of suspicious person

SUSPICIOUS VEHICLE

Get location, description of suspicious vehicle, license plate, description of suspicious circumstances, name/contact number
If have plate info, send 10-28 to units on the call
Dispatch WLPD – give location, nature, description of suspicious vehicle and suspicious circumstances
Notes: Description of suspicious vehicle and suspicious circumstances

THEFT OF A BIKE

Get location, description of bicycle, time delay, name/contact number
Dispatch WLPD – give location, nature, time delay
Notes: Description of bicycle

1/14/2008

THEFT/FAILURE TO PAY

Use when customers fail to pay for meal/gas, etc

1. Gas Station

- A. Get location, time delay, vehicle description, direction of travel, description of driver/passengers, name/contact number
 - i. Send 10-28 to units on call
- B. Dispatch WLPD – give location, nature, time delay, description of vehicle/driver/passengers, direction of travel
- C. Notes: Failure to pay for ___, time delay, description of vehicle/driver/passengers, direction of travel

2. Restaurant

- A. Get location, time delay, description of offenders, vehicle description, direction of travel, name/contact number
- B. Dispatch WLPD – give location, nature, time delay, description of customer/vehicle, direction of travel
- C. Notes: Failure to pay for ___, time delay, description of customer/vehicle, direction of travel

THEFT OF PROPERTY

Get location, description of property, time delay, name/contact number
Dispatch WLPD – give location, nature, time delay, description of property
Notes: Theft of <description of property>, time delay

THEFT/BY SHOPLIFTING**1. If in progress:**

- a. Get location, time delay, description of suspect
- b. Dispatch WLPD – give location, nature, time delay, description of suspect
- c. Keep updated! Stay on the phone with caller in case shoplifter leaves premises
- d. Get name/contact number
- e. Notes: Description of person, time delay

2. If shoplifter is already detained:

- a. Get location, suspect's information, name/contact number
 - i. Run local 10-29 and check for priors in RMS
 - ii. Run 10-27
- b. Dispatch WLPD – give location, nature

THEFT FROM A VEHICLE

Get location, description of vehicle, description of items stolen, time delay, name/contact number
Dispatch WLPD – give location, nature, vehicle description
Advise caller to put their flashers on.
Notes: <Description of items> stolen from <description of vehicle>.

TRAFFIC STOP

Self initiated

TRESPASSING

1. If someone is warned for trespassing:
 - A. Usually, a call is changed to TRESPASSING from a different Nature code if a subject was warned for trespassing
2. If someone has previously been warned for trespassing and returns to property:
 - A. Get location, name/description of trespasser, name/contact number
 - B. Dispatch WLPD – give location, nature, name/description of person
 - C. Notes: Name/description of person

TRAFFIC 24 HR TAG

City ordinance: Vehicles parked on the street must be moved after 24 hours.

Marking 24 hour tags

Get location, vehicle description, license plate, name/contact number (vehicle must be parked on a city street to be marked for 24 hour violation)
Dispatch WLPD – give location, nature – “Mark <vehicle description> for 24 hour.”
Notes: Vehicle description
Assign case number if vehicle is marked

1. **Vehicle moved**
 - A. Reopen original case or (if too much time has passed) start a new CAD sheet with Nature code FOLLOW UP
 - B. Notes: Ref ##-#### (original case number)
 - C. Bring up original case and add note “Vehicle moved”
 - D. Clear FOLLOW UP call w/out a case number put in the notes cross reference with case ##-####.
2. **Expired 24 hour tags**
 - A. Reopen original case or (if too much time has passed) start a new CAD sheet with Nature code FOLLOW UP
 - B. Contact towing company
 - C. Notes in FOLLOW UP and original TRAFFIC 24 HR TAG: Contacted <towing company> ref case ##-####

BLOCKING DRIVE COMPLAINT

Get location, description of vehicle, name/contact number
Dispatch WLPD – give location, nature, description of vehicle
Notes: Description of vehicle

TRAFFIC CONTROL

Get location, reason for traffic control, name/contact number
Dispatch WLPD – give location, nature, reason for traffic control
Notes: Reason for traffic control

TRAFFIC HAZARD OBJECT IN ROAD

Get location, description of traffic hazard, name/contact number
Dispatch WLPD – give location, nature, description of traffic hazard
Notes: Description of traffic hazard

TRAFFIC PRIVATE PROPERTY

Get location, vehicle description, name/contact number
MAKE SURE THEY HAVE AUTHORIZATION FORMS! The person calling in the complaint must be an authorized agent. We cannot give residents tickets if they are parked in the wrong spot this must be handle by the management.
Dispatch Parking Control – give location, nature, vehicle description
If Parking Control is 10-42, dispatch WLPD – give location, nature, vehicle description
Notes: Vehicle description.
Assign a case number if vehicles are ticketed.

TRAFFIC REPAIR/SIGNALS/LIGHTS

Get location, description of traffic repair that's needed, traffic control will be determined by the officer/shift command, name/contact number
Dispatch WLPD if traffic control is needed – give location, description of traffic repair that's needed, description of traffic control that's needed
Notes: Description of traffic repair that's needed, description of traffic control needed
Contact WL Street Dept/State Hwy re traffic repair that is needed

TRAFFIC PARKING REQUEST (WLPD)

Use for posting of no parking signs.

Company must retrieve the no parking signs from the Records Department
If construction company posts No Parking signs for construction, vehicles are given 24 hours to move
Get location
Dispatch WLPD to mark vehicles for 24 hours – give location, nature

1/14/2008

WHEEL LOCK

1. **Parking control calling w/ plate number to check for a wheel lock**
 - A. Call WL Clerk to check for a wheel lock
 - i. Give them plate number and description of vehicle
 - ii. If they can lock, transmit to Parking Control while WL Clerk is still on the phone
 - iii. Parking Control will give you location of vehicle – relay info to WL Clerk
 - B. Notes: Wheel lock placed for unpaid fines on <vehicle description>.
 - C. Assign report number.
 - D. Print the CAD sheet to our printer and to Reports
2. **WL Clerk's office calling to say wheel lock can be removed**
 - A. Contact Parking Control (191,194,195) to let them know.
 - B. Notes: Wheel lock can be removed, 19# advised.
 - C. When Parking Control states wheel lock has been removed, enter in notes "Fines paid, wheel lock removed."
 - D. Print the CAD sheet to Records

UNAUTHORIZED CONTROL

Get location, vehicle description, suspect information, possible destinations, time delay, name/contact number
Dispatch WLPD – give location, nature, time delay, vehicle description, suspect information, possible destinations
Notes: Vehicle description, suspect information, possible destinations, time delay

UNWANTED GUEST

Get location, name of business, description of offender, where subj is in business
Jakes: Ask if parking lot side or State St side
Dispatch 2 WLPD ("Unit ### and unit to assist..."): give location, nature code
Ask if subj is detained
Get name/contact number
Caller: <Name>//EMPL
Notes: 10-56 <description of person>
If person is warned for trespass, make note in RMS

VIN CHECK

Required by BMV when someone purchases an out of state vehicle

There is a \$5.00 fee for a vin check and that must be paid to the Records Dept Monday-Friday 8-4, the officers cannot take money.

1. **If VIN check in WLPD lot:**
 - A. Location: 711 W Navajo
 - B. Dispatch WLPD for "VIN check at HQ"
2. **If unit transmits 10-28 request by VIN:**
 - A. Transmit to officer the license plate/year/make/model of car and Signal 40/Signal 80 status

1/14/2008

WARRANT SERVICE

Get name/location of Sig 40 subj, name/description of vehicle/contact number, approximate time of warrant service
Dispatch WLPD *when person has arrived* – give location, nature, vehicle description
Notes: Name of Sig 40 subj

WEATHER RELATED CALLS

Use for trees or lines down caused by inclement weather

WOW LOOKING FOR SUBJECT

Self initiated

Notes: Name of Sig 40 subj

1/14/2008

Workman Comp Form and Medical Attention Instructions.pdf



HOW TO FILE A WORKER'S COMPENSATION CLAIM

Every employee makes a valuable contribution to the City of West Lafayette, where we strive to provide a safe work environment. Supervisors and employees share responsibility for creating and maintaining a safe workplace. Maintaining a safe workplace requires the continuous cooperation of all employees. Safety must be a primary concern in every aspect of planning and performing all city activities.

ACCIDENT REPORTING

1. Any injury at work – no matter how small – must be reported immediately to your supervisor. Serious conditions often arise from small injuries if they are not cared for at once.

If an injury/illness is deemed an emergency or life threatening, call 911, and make the employee comfortable until the ambulance arrives. Upon arrival to the nearest emergency room, identify the patient as an employee of the City of West Lafayette and the injury/illness as a workers' compensation claim.

If the injury/illness is not deemed an emergency but requires medical attention, call IU Health Arnett Occupational Services at 448-8708 and transport to 2600 Greenbush Street, Lafayette (Monday – Friday; 8 a.m. – 5 p.m.). To access their offices, use the west entrance facing Melbourne Road and take the elevator to the first floor.

If the injury/illness occurs outside of IU Health Arnett Occupational Services' regular business hours, notify your supervisor who will arrange transportation to the nearest IU Health Arnett Urgent Care facility. If the injury/illness is urgent, transport to the nearest hospital emergency room. Identify the patient as an employee of the City of West Lafayette and the injury/illness as a workers' compensation claim.

Urgent Care locations and hours of operation are listed below:

- 1 Walter Scholer Drive, Lafayette – 8 a.m. – 8 p.m., every day; closed holidays
- 253 Sagamore Parkway W., West Lafayette – 7 a.m. – 9 p.m. every day; 8 a.m. – 8 p.m. holidays

If an employee can wait until IU Health Arnett Occupational Services opens without detriment to themselves, they should do so. If an injury/illness occurred on a previous day and the employee did not wish to seek medical care at the time of the injury, the employee is expected to wait until IU Health Arnett's Occupational facilities open at 8 a.m.

HOW TO FILE A WORKER'S COMPENSATION CLAIM - Continued

If the injury/illness does not appear to require medical attention, simply complete the First Report of Employee Injury/Illness form.

THE FIRST REPORT OF EMPLOYEE INJURY/ILLNESS FORM MUST BE COMPLETED IMMEDIATELY FOLLOWING THE INJURY/ILLNESS BY THE SUPERVISOR.

NOTE: *Employees seeking medical attention without notifying the employer or supervisor of the injury/illness are assuming responsibility for their own medical costs. This may be waived in extenuating circumstances only. It is mandatory that employees go to the City's designated provider if at all possible.*

2. The supervisor should complete the First Report of Employee Injury/Illness and report it to **Travelers either by telephone (open 24/7) by calling 800-238-6255 or via Internet at www.travelers.com**. Human Resources must also be notified immediately and receive the original form within 48 hours.
3. If an injury is determined to be compensable and the claim will potentially involve lost time exceeding 21 days, a wage history statement will be sent to Travelers.
4. The employee must complete a record of hours worked (if any), sick leave, vacation, personal leave, holidays, or time without pay to be charged. The record should also reflect if the employee is working with light duty restrictions, along with the appropriate pay level.
5. Once compensation begins, payments are made every 7 days by Travelers. Checks are sent directly to the employee.

Worker's Compensation is a very important benefit that provides you with the security and protection of continued lost wages and medical reimbursement for all reasonable and related medical expenses.

Safety is everyone's responsibility! If you have an idea for improving workplace safety or have any questions regarding other aspects of workers' compensation, please contact the Human Resources Department.

Updated: January 2015



INDIANA WORKER'S COMPENSATION FIRST REPORT OF EMPLOYEE INJURY, ILLNESS

State Form 34401 (R9 / 3-01)

FOR WORKER'S COMPENSATION BOARD USE ONLY

Jurisdiction	Jurisdiction claim number	Process date
--------------	---------------------------	--------------

Please return completed form electronically by an approved EDI process.

PLEASE TYPE or PRINT IN INK

NOTE: Your Social Security number is being requested by this state agency in order to pursue its statutory responsibilities. Disclosure is voluntary and you will not be penalized for refusal.

EMPLOYEE INFORMATION					
Social Security number	Date of birth	Sex <input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Unknown	Occupation / Job title	NCCI class code	
Name (last, first, middle)	Marital status <input type="checkbox"/> Unmarried <input type="checkbox"/> Married <input type="checkbox"/> Separated <input type="checkbox"/> Unknown		Date hired	State of hire Indiana	Employee status
Address (number and street, city, state, ZIP code)			Hrs / Day	Days / Wk	Avg Wg / Wk
Telephone number (include area code)		Number of dependents	Wage Per \$ <input type="checkbox"/> Hour <input type="checkbox"/> Day <input type="checkbox"/> Week <input type="checkbox"/> Month <input type="checkbox"/> Year <input type="checkbox"/> Other		
			<input type="checkbox"/> Paid Day of Injury <input type="checkbox"/> Salary Continued		

EMPLOYER INFORMATION			
Name of employer City of West Lafayette	Employer ID# 35-6001233	SIC code	Insured report number
Address of employer (number and street, city, state, ZIP code) 711 W. Navajo Street West Lafayette, IN 47906	Location number	Employer's location address (if different)	
	Telephone number 765-775-5108		
Carrier / Administrator claim number			Report purpose code
Actual location of accident / exposure (if not on employer's premises)			

CARRIER / CLAIMS ADMINISTRATOR INFORMATION			
Name of claims administrator Travelers	Carrier federal ID number	Check if appropriate <input type="checkbox"/> Self Insurance	
Address of claims administrator (number and street, city, state, ZIP code) Email to Imaging Center at INDCMUNT@travelers.com	<input checked="" type="checkbox"/> Insurance Carrier <input type="checkbox"/> Third Party Admin.	Policy / Self-insured number UB4F01491A	
Telephone number (800)832-7839		Policy period From 01/01/15 To 01/01/16	
Name of agent MBAH Insurance	Code number 58299		

OCCURRENCE / TREATMENT INFORMATION					
Date of Inj. / Exp.	Time of occurrence <input type="checkbox"/> AM <input type="checkbox"/> PM	Date employer notified	Type of injury / exposure	Type code	
Last work date	Time workday began	Date disability began	Part of body	Part code	
RTW date	Date of death	Injury / Exposure occurred on employer's premises? <input type="checkbox"/> Yes <input type="checkbox"/> No	Name of contact	Telephone number	
Department or location where accident / exposure occurred			All equipment, materials, or chemicals involved in accident		
Specific activity engaged in during accident / exposure			Work process employee engaged in during accident / exposure		
How injury / exposure occurred. Describe the sequence of events and include any relevant objects or substances.					
					Cause of injury code
Name of physician / health care provider					INITIAL TREATMENT <input type="checkbox"/> No Medical Treatment <input type="checkbox"/> Minor: By Employer <input type="checkbox"/> Minor: Clinic / Hospital <input type="checkbox"/> Emergency Care <input type="checkbox"/> Hospitalized > 24 Hours <input type="checkbox"/> Future Major Medical / Lost Time Anticipated
Name of witness		Telephone number	Date administrator notified		
Date prepared	Name of preparer	Title	Telephone number		

An employer's failure to report an occupational injury or illness may result in a \$50 fine (IC 22-3-4-13).

INSTRUCTIONS

General Instructions:

1. Please enter information into all of the areas of the First Report form, except the boxes at the top right corner of the form which is for office use only.
2. Enter all dates in MM/DD/YY format.
3. Please return completed form electronically by an approved EDI process.
4. For answers to questions, please call (317) 232-3808.

Definitions:

AGENT NAME AND CODE NUMBER: Enter the name of your insurance agent and his / her code number if known. This information can be found on your insurance policy.

ALL EQUIPMENT, MATERIALS OR CHEMICALS EMPLOYEE WAS USING WHEN ACCIDENT OR EXPOSURE OCCURRED: List anything the employee was using, applying, handling or operating when the injury or exposure occurred. If the injury involves a fall, indicate any surfaces and / or objects the claimant fell on and where they fell from. Enter "NA" if no equipment, materials or chemicals were being e.g. *Acetylene cutting torch, metal plate, etc.*)

AVG WG/WK: Claimant's average weekly wage, calculated by totaling the latest 52 weeks of wages (*including overtime, tips, etc.*) and dividing by 52.

CLAIMS ADMINISTRATOR: Enter the name of the carrier, third-party administrator, state fund, or self-insured responsible for administering

CONTACT NAME / TELEPHONE NUMBER: Enter the name of the individual at the employer's premises to be contacted for additional information (*i.e. Supervisor, HR Person, Nurse, etc.*)

DATE DISABILITY BEGAN: The first day on which the claimant originally lost time from work due to the occupational injury or disease or as otherwise deigned by statute.

DEPARTMENT OR LOCATION WHERE ACCIDENT OR EXPOSURE OCCURRED: If the accident or exposure did not occur on the employer's premises, enter address or location. Be specific (*e.g. Maintenance, Client's Office, Cafeteria, etc.*).

EMPLOYEE STATUS: Indicate the employee's work status from the following choices: Full-time, Part-time, Apprentice Full-time, Apprentice Part-time, Volunteer, Seasonal Worker, Piece Worker, On-Strike, Disabled, Retired, Not Employed or Unknown (you may also abbreviate FT, PT, AFT, APT, VO, SW, PW, OS, DI, RE, NE, or UK).

HOW INJURY / ILLNESS OCCURRED: Describe the sequence of events leading to the injury or exposure (*e.g. Worker stepped back to inspect work and slipped on some scrap metal. As worker fell, he brushed against the hot metal; Worker stepped to the edge of the scaffolding, lost balance and fell six feet to the concrete floor. The worker's right wrist was broken in the fall.*)

NCCI CLASS CODE: A four-digit code classifying the occupation of the claimant.

OCCUPATION / JOB TITLE: Enter the primary occupation of the claimant at the time of the accident or exposure.

PART OF BODY AFFECTED: Indicate the part of body affected by the injury / illness (*e.g. Right forearm, Low Back, etc.*)

REPORT PURPOSE CODE: 00 = Original First Report of Injury; 02 = Updated or Amended First Report.

RTW DATE (*Return to Work Date*): Enter the date following the most recent disability period on which the employee returned to work.

SIC CODE: This is the code which represents the nature of the employer's business which is contained in the Standard Industrial Classification Manual published by the Federal Office of Management and Budget.

SPECIFIC ACTIVITY EMPLOYEE ENGAGED IN DURING ACCIDENT / EXPOSURE: Describe the specific activity the employee was engaged in during the accident or exposure (*e.g. Cutting metal plate for flooring, sanding ceiling woodwork in preparation for painting.*)

TYPE OF INJURY / ILLNESS: Briefly describe the nature of the injury or illness (*e.g. Contusion, Laceration, Fracture, etc.*)

WORK PROCESS THE EMPLOYEE WAS ENGAGED IN DURING ACCIDENT / EXPOSURE: Enter "NA" if employee was not engaged in a work process, such as if walking down the hallway (*e.g. Building maintenance*).

Incident Management.pdf

Incident Management/Domestic Preparedness Plan

- I. Purpose: The purpose of this policy is to provide guidelines for response to man-made and naturally occurring disasters. These disasters could, and often do, involve many Local, State, and even Federal responses. Such incidents will need to be managed effectively based on jurisdictional and statutory requirements. This policy includes specific strategies concerning issues of Homeland Security. Homeland Security is not just a Law Enforcement responsibility, but a community issue, which must include citizens, private industry and business.

- I. Policy: It is understood that such disasters will require a coordinated effort on the part of many organizations, both public and private. The Incident Command System (ICS) will be followed in all such incidents, regardless of cause, size, or complexity. ICS, as detailed in the National Incident Management System (NIMS) document, shall be the template by which an incident will be managed and controlled.

It is further understood that we will use the Tippecanoe Emergency Management Plan and the supplemental Terrorism Element plan as a guide for the Emergency Management elements of Mitigation, Preparedness, Response, and Recovery.

It is also understood that Incident Command System principles, as detailed in NIMS, will be followed at all significant planned events.

II. Definition:

EVENT – An incident that effects the population within a jurisdiction.

HAZARD – A potential event or situation that presents a threat to life and property.

INCIDENT – An event or occurrence with potential threat to the health and safety of residents in the vicinity; may also result in physical damage to properties and facilities.

TERRORISM – The unlawful use of force of violence against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives.

III. Procedure:

A. Emergency Management:

1. Mitigation: We will seek to reduce exposure to, probability of, or potential loss from hazardous or dangerous events. We will do this by attempting to identify vulnerabilities and possible hazards before they occur.
2. Preparedness: We will develop responsibilities for emergency responders actions and determine resources to support them. We will work with other agencies in a cooperative effort to develop strategies and tactics so that coordination, personnel, and resources can be relied upon when needed.
3. Response: Incident Priorities shall be based on Life Safety, Incident Stabilization, and Property Conservation. Incident Management shall be based on jurisdiction and statutory authority. For large events an Emergency Operations Center will be activated.
4. Recovery: Recovery is complete when jurisdictions are returned back to normal. This may involve agencies at the State and Federal Level. We agree to work cooperatively with other emergency response agencies to bring about recovery as quickly and efficiently as possible.

IV. Operational Response:

Levels of Operation: These levels of operation clearly define our level of commitment and strategies as incidents expand from the routine to complex, to major in content. Our operational levels would be adjusted according to the actual as well as the anticipated need for police service in any given incident.

- A. Level 1: Alert Status **GUARDED**. Patrol Operations are at a level where temporary additional manpower is needed for normal operations. Additional personnel are activated or another agency may be asked to help respond for routine call handling. *The situation presents a moderate risk to critical resources in sections of the community.*

(Examples: SWAT activation, power failure, need for large security/perimeter presence, major crime scene)

- B. Level 2: Alert Status **ELEVATED**. Normal shift schedule, however extra days off may be denied. Additional personnel may be activated. Directed patrol will be initiated to hard and soft targets. EOC may be activated. Mutual aid likely. *The situation presents a specific threat to the community. Effects may involve multiple jurisdictions and functions. Operational services to the community may be disrupted. The duration of this event is short term (less than 3 days) and a restoration plan may be developed and implemented.*

(Examples: Riot, large fire or structure collapse, hazardous material release, specific H.S. threat identified)

- C. Level 3: Alert Status **HIGH**. All days off cancelled and employees work a minimum 12-hour shift. Mutual aid agreements are implemented. Directed patrol initiated to hard and soft targets. *Normal operations are suspended. Multiple casualties are likely. Extensive reliance on external agencies and jurisdictions are necessary to resolution. Long term (three days or more) commitment of personnel and other resources are required. Resources from State may also be requested. A restoration plan must be developed and implemented.*

(Examples: Major natural or man-made disaster, terrorist incident involving hazardous material, state of emergency declared)

Civilian 6 Months Performance Evaluation.pdf



“Working to keep West Lafayette a great community”

- *consistently deliver high-quality results,*
- *put residents/citizens first,*
- *approach city services with a professional focus and development of innovative solutions.*

EMPLOYEE PERFORMANCE AND DEVELOPMENT REVIEW

Employee Name: _____	Title: _____
Review Period: From _____ To _____	Department: _____
Evaluator Name: _____	Title: _____
Date of Evaluation: _____	Previous Evaluation Date: _____

SECTION 1: Rating of Behavior Criteria/Supportive Comments

Evaluate the employee's ability to achieve or exceed the expected requirements of his/her job. Supportive comments (whether positive or negative) should be specific incidents that have occurred during the evaluation period.

- “4” - Consistently Outstanding:** Consistently, to a high degree, exceeds expectations; constantly demonstrates high performance on this responsibility.
- “3” - Excellent:** Exceeds expectations; work typically exhibits above required performance on this responsibility.
- “2” - Good:** Meets expectations; satisfactory performance on this responsibility with some room for improvement.
- “1” - Improvement Required:** Below expectations; needs significant improvement on this responsibility.
- Not Applicable:** Too new in position to demonstrate competence OR category not applicable to this position (*rarely relevant*).

Behavior Ratings		
Behavior	Rating	Examples of Observed Behaviors
Job Knowledge/Skills – Familiar with and performs essential duties of the job, relevant policies and procedures, and with department and city operations; keeps informed of current information related to job.		
Quality of Work – Pays attention to detail; completes tasks accurately; meets challenges and overcomes obstacles while maintaining high standards.		
Productivity – Volume of work meets standards for position; achieves results and measurable goals within set timeframes; works productively; makes good use of time.		
Dependability – Understands that own actions have an effect on the department and others; avoids unscheduled absences, maintains scheduled work hours; arrives at work area on time and is ready to begin work promptly; adheres to break and meal schedules; meets department expectations in reporting absence or tardiness. (Does not include approved leaves, i.e., FMLA.)		
Teamwork – Takes interest in others' opinions and in the work group; strives to make the group more effective through cooperation; demonstrates shared ownership, and interdependence with mutual trust and respect; can be counted on for positive reaction and support to team and colleague views and decisions.		
Customer Focus – Committed to positive first impression and public perception; orientation toward satisfying the needs of customers; builds and maintains relationships with internal and external customers; listens, understands, anticipates and responds quickly and effectively to customer needs; shows a passion for improving services, processes.		

Relationships – Tact and diplomacy displayed when necessary; courtesy shown when addressing co-workers or citizens; creates a positive work environment and deals with others in a capable, professional manner; willing to use the proper chain of command.		
Safety – Committed to preventing the accidental loss of City resources, including employees and physical assets; strives to eliminate foreseeable hazards as they relate to planning, operation, and maintenance of facilities and equipment; performs safe work habits for self and those of others in accordance with established procedures and safe work practices.		

SECTION 2: Overall Evaluation

Briefly summarize the overall strengths of the employee's performance for the current evaluation period, and the areas of focus for the employee's continued development for the next evaluation period.

Summary	
Areas of Strengths	Areas for Development
■	■
■	■
■	■
■	■

SECTION 3: Goals and Objectives for Year Ending December 31, ____.

Provide a list of goals, objectives, and activities the employee is to be working on during the next evaluation period. Goals should be specific, measurable, and attainable.

List between 1 and 5 goals to be achieved during the coming year.

Employee Comments: _____

Employee Signature: _____ Date: _____
(to acknowledge receipt)

Evaluator Signature: _____ Date: _____

Department Head Signature: _____ Date: _____

US 231 Corridor Agreement with PUPD.pdf

MEMORANDUM OF UNDERSTANDING – PUBLIC SAFETY APPENDIX

This Memorandum of Understanding is entered into by and between the City of West Lafayette, Indiana ("West Lafayette"), and Purdue University, a public university with its main campus in West Lafayette, Indiana ("Purdue").

WHEREAS, West Lafayette and Purdue have a longstanding practice of cooperating together, including in connection with the operation of their police and fire departments, to create an environment that is beneficial to their mutual interests and to the safety and security of their citizens and residents; and

WHEREAS, although the area known as the Island South (as defined below) is located in and is surrounded by the Purdue campus, through annexation the West Lafayette Police Department and the West Lafayette Fire Department have obtained primary jurisdiction for providing police and fire protection services in that area via the memorandum of understanding of which this appendix is made a part; and

WHEREAS, many of the properties and/or facilities located in the Island are owned or occupied by Purdue, Purdue Research Foundation, or organizations affiliated with Purdue; and

WHEREAS, Purdue police and fire departments are already the primary responders for several properties/areas in the Island South; and

WHEREAS, the Purdue Fire Department will provide advanced life support ambulance services currently being provided by the Tippecanoe Emergency Ambulance Services within the Island South, and areas identified in sections 4, 5 & 6; and

WHEREAS, Purdue's police and fire stations are closer than their West Lafayette counterparts to the Island South, enabling Purdue police officers and fire fighters to respond more quickly in the Island South; and

WHEREAS, IC 20-12-3.5-2(b) authorizes Purdue police officers to exercise their statutory powers and IC 21-39-7-4 provides Purdue Fire with the authority to respond to locations adjacent to the campus, including on real estate owned or occupied by Purdue, including the street passing through and adjacent thereto, and to establish responsibility in other areas by agreement with the chief of police of the municipality where the campus is located; and

WHEREAS, both Purdue and West Lafayette have determined that public safety and overall efficiency would be improved for their mutual benefit if Purdue assumes primary jurisdiction for providing Purdue police and Purdue fire and EMS services in the Island South;

NOW THEREFORE, the parties agree as follows:

1. Purdue University Police and Fire Departments will maintain the current jurisdictional area of police and fire and EMS coverage, and operational responsibility for Purdue facilities. This will include future Purdue facilities within the response area.
2. The "Island South" means (i) the US 231 corridor from State Street south to South River Road, (ii) South River Road west to the east property line of the property at 2180 South River Road, (iii) north along the east property line of the property at 2180 South River Road and continuing north to the Purdue Gravel Pit border, (iv) west along the Purdue Gravel Pit border to Sharon Chapel Road, (v) Sharon Chapel Road south to South River Road, (vi) South River Road east to the Wabash Heritage Trail, (vii) the Wabash Heritage Trail from South River Road to the Wabash River bank, (viii) east along the bank of the Wabash River/city boundary line to the west edge of the US 231 corridor, (ix) north along the west edge of the US 231 corridor to South River Road.
3. As of July 1, 2013, (i) Purdue Police and Purdue Fire and EMS shall assume primary responsibility and jurisdiction in the Island South to include the intersection of State Street and the new US 231, (ii) the West Lafayette Police Department and West Lafayette Fire Department shall maintain primary responsibility and jurisdiction for providing police and fire service at the intersection of South River Road and US 231.
4. As of July 1, 2013, Purdue Police and Purdue Fire and EMS shall assume primary responsibility and jurisdiction on the McCormick Road corridor from State Street north to Stadium Avenue, to include the intersections of State Street and Stadium Avenue.
5. As of July 1, 2013, Purdue Police and Purdue Fire and EMS will respond to calls for service on the US 231 corridor from State Street north to Cherry Lane in conjunction with the West Lafayette Police Department, with the West Lafayette Police Department retaining the primary responsibility for investigations, West Lafayette Fire Department will retain primary responsibility for command and reporting in this area.
6. As of July 1, 2013, Purdue Police and Purdue Fire and EMS will respond to calls for service on the McCormick Road corridor from Stadium Avenue north to Cherry Lane in conjunction with the West Lafayette Police Department, with the West Lafayette Police Department retaining the primary responsibility for investigations, West Lafayette Fire Department will retain primary responsibility for command and reporting in this area.
7. This Memorandum of Understanding supplements the Mutual Aid Agreement. Both will remain in force until terminated in writing by either party.
8. In order that Purdue Police and Fire be provided with reasonable repayment for additional resources required by this expanded service, beginning on July 1, 2013, an

annual recurring amount of \$10,000 will be provided to Purdue University in consideration for these services.

City of West Lafayette

By: _____
John Dennis, Mayor

Date: _____

By: _____
Jason Dombkowski, Chief
of Police

Date: _____

By: _____
Timothy Heath, Fire Chief

Date: _____

Purdue University

By: _____
Al V. Diaz, Executive
Vice President and Treasurer

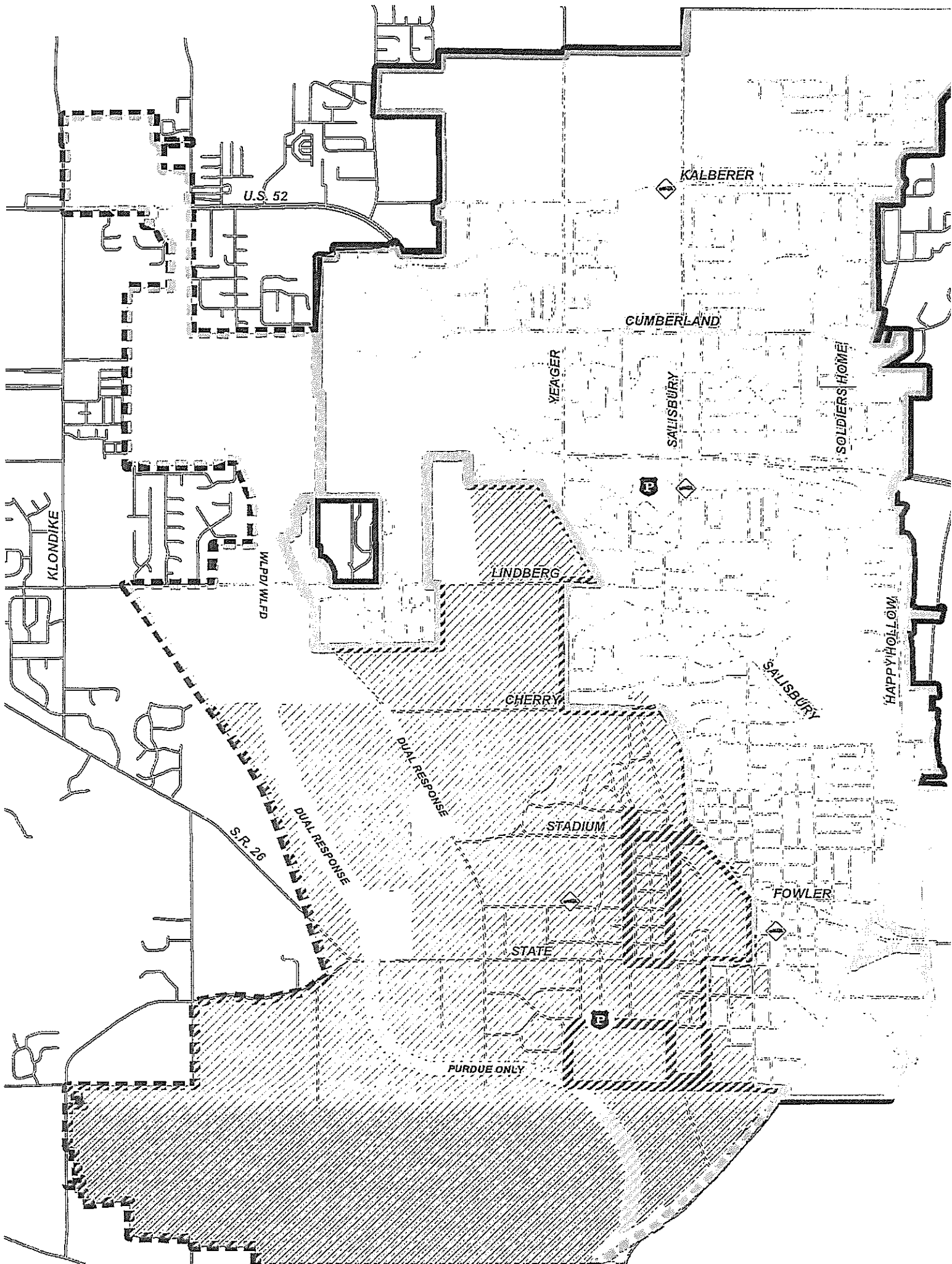
Date: _____

By: _____
John Cox, Chief of Police

Date: _____

By: _____
Kevin Ply, Fire Chief

Date: _____



Level of Duty Form.pdf



WEST LAFAYETTE POLICE DEPARTMENT

711 WEST NAVAJO • WEST LAFAYETTE, INDIANA 47906

MAIN PHONE: 765-775-5200 • FAX: 765-775-5228

RECORDS DIVISION: 765-775-5210 • CRIMINAL INVESTIGATION DIVISION: 765-775-5220

To: Attending Physician

_____, a patient of yours, is an employee of the West Lafayette Police Department. The employee has informed us that he/she is being treated for a medical condition that may alter his/her normal duty performance. Listed below are the different physical effort levels required of our employees:

LEVEL I: Full police duties: Includes frequent entering/exiting an automobile, prolonged sitting in an automobile, exposure to weather and elements, possible exposure to extreme physical exertion, and exposure to physical confrontation with other persons. Normal shift is eight hours or ten hours.

LEVEL II: Limited police duties: Radio Desk (consists of inside work, answering telephone, dispatching radio calls, and taking walk-in complaints). May require some walking and getting up and down from a chair. Typing, writing, and reading are required. Normal shift is eight hours or ten hours.

LEVEL III: Light police duties: Could include Level II duties on a limited basis or could be, if prescribed, just report checking and writing, making routine business calls, or sorting and filing paperwork. Physical effort is minimal. Hours of duty to be prescribed by Physician.

LEVEL IV: No duty permitted. Condition requires rest and recuperation at a medical facility or at home.

_____ is being treated for _____

_____. This condition qualifies him/her for duty Level ____.

He/She will remain at the level until _____.

He/She may return to full duty (Level I) on _____.

Additional comments or physical restrictions:

Physician's Signature _____ **Date** _____

PMC Article I Commission Rules.pdf

ARTICLE I

COMMISSION RULES

ARTICLE I - COMMISSION RULES

The purpose of this Article is to establish the basic rules under which the Commission shall operate.

A. Quorum.

Three members of the Commission shall constitute a quorum for the transaction of business.

B. Officers.

The Commission shall elect a president, a vice-president and a secretary.

(1) Term of Office. The officers of the Commission shall hold office for a term of one year.

(2) Election of Officers. Each January, the members of the Commission shall elect the three officers from its own membership.

(3) Vacancies and Removals. Membership vacancies and removals shall be filled by the procedure set forth in IC 36-8-3.5-7.

(4) Duty of the President. The President shall be the principal executive officer of the Commission and, subject to the control of the Commission, shall in general, supervise and control all of the business and affairs of the Commission. The President shall, when present, preside at all meetings of the Commission and shall preside as President of any hearing, including disciplinary hearings, before the Commission.

(5) Duty of the Vice-President. In the event of absence or incapacity to serve, on the part of the President of the Commission, the Vice-President shall function in the President's place.

(6) Duty of the Secretary. The Secretary shall:

a) keep the minutes of all meetings.

b) see that all notices are duly given in accordance with the provisions of these Commission rules and in accordance with IC 5-14-1.5-5 and 5-14-1.5-6.1.

c) sign with the President or Vice-President, any rules, regulations, orders which are adopted by the Commission.

d) perform such other duties as from time to time may be assigned by the President or the Vice-President.

e) maintain the eligibility list of applicants for hire and for promotion.

(7) Delegation of Authority. The Commission shall have the authority to delegate functions and duties of an administrative nature to officials or members of the Police Department of the City of West Lafayette, Indiana, or to any other persons. However, in no event, shall the delegation of specific functions or duties be construed as abandonment of its authority. The Commission will, at all times, retain its option to maintain concurrent administration of the function or duty, or to rescind its prior delegation. The Commission shall not have the power to delegate its rule-making function to any person or persons whatsoever.

(8) Employees. The Commission shall be empowered to retain the services of legal counsel. The Commission shall be empowered to employ the services of a stenographer or court reporter to take notes of all meetings and hearings to aid the Secretary of the Commission in the performance of his duties.

C. Meetings.

(1) Regular Meetings. The Commission shall hold one regular meeting each month.

a) The regular meeting shall be held in the West Lafayette City Hall, unless otherwise changed by the Commission.

(2) Special Meetings. Special meetings of the Commission may be held at any time and at any place within the City of West Lafayette, Indiana when called by the President of the Commission, or by the Vice-President in the absence or incapacity of the President. A special meeting may be called by the joint action of two (2) members of the Commission. It shall be necessary that a quorum be present to conduct a special meeting.

(3) Adjourned Meetings. Adjourned meetings of any regular or special meeting may be held, if announced prior to the termination of the meeting which is to be adjourned, at which time, the time, place, and purpose of such adjourned meeting shall be announced.

(4) Open Door Law. In all cases, meetings shall conform with IC 5-14-1.5, Indiana's Open Door Law.

(5) Notice of Meetings.

a) The Secretary shall notify all members of the Commission of the special meetings. Such notice may be given in writing, by telephone, by personal contact or by any electronic means.

b) The Secretary shall coordinate with the Office of the West Lafayette Clerk-Treasurer to notify the media by January 1 of each year of the regular meeting dates for the coming year. The Secretary or his/her

designee will also provide notice to the media of any special meetings at least 48 hours in advance of the special meeting.

c) The regular, special and adjourned meetings of the Commission are open to the public, except Executive Sessions held in accordance with I.C. 5-14-1.5-6.1, if the purpose of such special or adjourned meeting is the transaction of business of the Commission.

d) All notices shall state the time, the place, and the purpose of the meeting.

(6) Conduct of Meetings. The rules of parliamentary procedure as set forth in *Roberts Rules of Order* shall govern meetings and proceedings before the Commission insofar as the same is not inconsistent with the rules of this Commission or the laws and statutes of the State of Indiana.

D. Maintenance of Records.

(1) Permanent Record. A permanent record of all acts and actions of the Commission shall be maintained by the West Lafayette Clerk-Treasurer.

a) The permanent records of the Commission shall be open for inspection at all times in accordance with I.C. 5-14-3 *et seq.*; except the personnel records which shall be open to inspection only to the person named thereon, or to his duly authorized representative, or to other persons who, in the judgment of the Commission have a lawful or legitimate reason for such inspection.

(2) Confirmation of Records of Prior Meeting. The first order of business of any regular meeting shall be the reading of the minutes of the previous meeting. At such time, the record may be amended, corrected or modified before final confirmation. The rescission, amendment, modification or affirmation of a prior action shall be noted on the margin of the record pertaining to the original action, as well as in full detail in the records of the subsequent meeting at which the modifying action was taken

(3) Record of Oral and Documentary Evidence. A complete record shall be kept of all oral and documentary evidence in any hearing before the Commission.

(4) Records of All Hearings Shall Be Kept. In all hearings before the Commission, a complete record of the entire proceedings shall be kept. In the event of any appeal from the finding and/or order of the Commission, a transcript shall be prepared containing the record of the hearing along with the finding and order of the Commission, this transcript shall thereupon be made available to the court having jurisdiction of such appeal.

(5) Transcript to Court within Thirty (30) Days after Summons Issued On Appeal from Any Order or Finding of the Commission. A certified copy, certified by the President or the Vice-President and the Secretary, shall be delivered and filed in the court having jurisdiction of any appeal from any order or finding of the Commission within thirty (30) days after service of summons.

(6) Written Examinations. The Commission is responsible for the aptitude test given to applicants and the promotional test given to members seeking to be promoted. The Commission may hire outside sources to prepare and administer examinations under its control. The Commission shall adopt procedures for both written exams that comply with its Rules and Regulations.

E. Budget

The Commission shall establish an annual budget in an amount for the necessary expenses to carry out its purposes. Said budget shall be submitted to the Common Council of the City of West Lafayette to be included in its budget.

F. Hearings before the Commission.

All hearings held by the Commission on disciplinary matters shall be held in conjunction with Special Meetings of the Commission.

(1) Conduct of Hearings. All hearings before the Commission shall be held in such a manner as to obtain all facts material to the hearing, to protect the proper interests of all parties, and to render findings in accordance with the evidence presented.

(2) Procedure of Hearings. The procedures for the conduct of any hearing shall conform to the rules set forth in the Indiana Rules of Court.

(3) Power to Review Action. The Commission specifically retains the right and authority to review action taken by it on any matter, and after review, may rescind, modify or amend action previously taken.

(4) Appeals of Performance Ratings. The appeal to the Commission for review of a performance rating by a member and the resultant hearing of the appeal shall not constitute a hearing or require a special meeting of the Commission under this Section. However, the hearing of an appeal on a performance rating requires a quorum of the Commission, and a recording of the minutes of such hearing shall be retained in the files of the Commission.

G. Adoption of Rules and Regulations.

The Commission shall adopt the rules necessary to carry out its duties and powers as set forth in the Statute creating the Commission.

(1) Adoption of Regulations. Each rule and regulation to be adopted shall be reviewed in full at a duly noticed special or regular meeting open to the public.

After the review, questions may be raised concerning the rule; thereafter a vote shall be taken upon the proposed rules or regulations.

(2) Regulations Prospective Only. All rules and regulations are prospective and shall have force and effect as of the time of their adoption by the Commission.

(3) Regulations Binding on Commission. All rules and regulations shall be binding upon the Commission and all other parties from the time of adoption until modified, rescinded or amended by proper action at a regular or special meeting.

(4) Promulgation of Regulations. Upon the adoption of any rule or regulation, the Commission shall print such rule and regulation and furnish a copy to each member, and shall incorporate the rule or regulation in the regular minutes of the meeting at which such rule or regulation is adopted.

(5) Permanent Record of Regulations. All rules and regulations shall be kept in a permanent record, properly indexed, for ready reference. The master copy of this permanent record of rules and regulations shall be maintained by the West Lafayette Clerk-Treasurer or other designee. [Amended June 12, 2006]

(6) Each Regulation to be Numbered and Dated. Each regulation shall be numbered and dated as of the date of adoption.

(7) Amendments to the Rules. Amendments to the rules shall take effect upon such time as all members of the department have been furnished copies, or thirty (30) days after their adoption, whichever occurs later. The Chief will inform the Commission of the date on which copies have been furnished to all members of the department.

PMC Article III Rules of Conduct.pdf

ARTICLE III
RULES OF CONDUCT

ARTICLE III - RULES OF CONDUCT

The purpose of this Article is to give guidance and direction to the members of the West Lafayette Police Department regarding the Rules, Regulations and Information promulgated by the City of West Lafayette Police Merit Commission. These Rules and Regulations are intended to establish a pattern of operation which will lead to the highest efficiency of this Department, for greater public service to the City; and at the same time provide guidance and protection to the sworn officers of the Department.

A. **Definition of Terms.** These definitions shall apply throughout each Article of these Rules and Regulations.

(1) **Chief.** The Chief of Police, as appointed by the Mayor of the City of West Lafayette, Indiana or anyone who acts as the designee of the Chief.

(2) **Commanding Officer.** A superior officer in charge of a division during a tour of duty. The Chief is the commanding officer of the entire Department.

(3) **Superior Officer.** A member having supervision, either temporarily or permanently, over members of a lower rank.

(4) **Ranking Officer.** A commanding officer, a superior officer, or the member on the scene at the time whose permanent appointment to the Department was prior to that of any other member present at the time. The Chief may delegate responsibility for command of a detail or situation to an officer regardless of the member's rank or tenure status. In that event, said member shall be the ranking officer.

(5) **Member.** An officer of the Department regardless of rank, gender, division, or duty.

(6) **Manual.** A copy of the Rules and Regulations as promulgated by the Commission, which copy may be in print or various electronic formats. [new 02.14.2011]

(7) **On Duty.** That period during which a member is actively engaged in the performance of the member's duties whether on a regular tour of duty or during an emergency.

(8) **Off Duty.** That period during which a member is free from specified routine duty.

(9) **Special Duty.** That period during which the member is assigned to perform duties which are not regular routine duties.

(10) **Order.** Any instruction given by a ranking officer to a subordinate either written or oral.

(11) General Order. A permanent instruction issued by the Chief, generally relating to a general circumstance or situation.

(12) Special Order. A written statement designed to give general departmental guidelines in regard to specific areas, issued by the Chief or Deputy Chief.

(13) Departmental Procedure. A general order, policy statement or special order, issued by the Chief.

(14) Truth Verification System. A polygraph machine or equivalent which is used to seek the truth from someone being administered the test.

B. Gender. This document is intended to be gender neutral, however, any reference throughout Articles I through VI of these Rules and Regulations to the masculine gender shall be deemed to include the feminine and neuter genders unless the context otherwise requires.

C. Role of the Chief of Police.

(1) Duties. The Chief shall be the commanding officer of the entire Department, subject to the laws of the United States, the State of Indiana, the Ordinances of the City of West Lafayette and the Rules and Regulations of the City of West Lafayette Police Merit Commission. The Chief shall devote his or her whole time and energy exclusively to the discharge of the duties of the Chief. The Chief shall see that all laws of the State, Ordinances of the City, and Rules and Regulations of the Commission are enforced and followed, in so far as it is possible, by the members under his or her command, and that all offending members are reported to the proper tribunals for discipline. The Chief may designate another member to act on his or her behalf.

(2) Powers. The Chief shall have the power to promulgate such orders to the members as may be deemed proper. It shall be the duty of all members to render to the Chief, and to orders, implicit obedience in conformity to the laws and ordinances and to such rules and regulations as the Commission may adopt from time to time.

(3) Custody of Property. The Chief shall have custody and control of all books, records, machines, tools, implements, apparatus or equipment of any kind necessary for use in the and of all public property pertaining to, connected with and belonging to the City.

(4) Reports. The Chief shall cause to be made to the Commission such reports as it may require from time to time.

D. Duties of Members. Members should understand that these rules and regulations are not expected to cover each specific case which may arise in the discharge of their duties,

but that some things must necessarily be left to the intelligence, discretion, good judgment and good sense of the individual member.

(1) Access to Manual. Each member shall have access to the Manual and shall keep up to date at all times regarding changes to any rule or regulation as communicated to them by their superiors. [revised 02.14.2011]

(2) Familiarity with Rules. Each member shall study the contents of the police manual and shall familiarize himself with all rules and regulations governing the Department. He shall also familiarize himself with the laws of the State and the ordinances of the City.

(3) Violation of Rules. Strict obedience to these rules shall be required. Members shall not commit any acts or omit any acts which constitute a violation of any of the rules, regulations, directives or orders of the Department, whether stated in these rules and regulations or elsewhere. Violation shall result in discipline under Article IV.

E. Regulations for Members of the Police Department.

(1) Unbecoming Conduct. Members shall conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorably on the Department. Conduct unbecoming an officer shall include that which brings the Department into disrepute or reflects discredit upon any member, or that which impairs the operation or efficiency of the Department or its members. Members shall maintain a level of conduct in their personal and business affairs which is in keeping with the highest standards of the law enforcement profession. Members shall not participate in any incident which impairs their ability to perform as law enforcement officers or causes the Department to be brought into disrepute, including but not limited to:

- a) use of profane language in public;
- b) loss of temper and self-control;
- c) discourteous treatment of a citizen or fellow law enforcement officer;
- d) loud, boisterous, vulgar, indecorous, clownish or obtrusive behavior in public;
- e) repeating rumors or falsehoods concerning a fellow officer, or holding a fellow officer up to ridicule;
- f) knowingly submitting a false report to the Department;
- g) knowingly withholding information from the Department, the prosecuting attorney, or any court in which the officer is a witness;
- h) be guilty of any violation of criminal and/or traffic laws.

(2) Reporting for Duty. Members shall report for duty at the time and place required by assignment or order and shall be physically and mentally fit to perform their duties. They shall be properly equipped and cognizant of information required for the proper performance of duty so that they may immediately assume their duties. Judicial subpoenas shall constitute an order to report for duty under this section.

(3) Courtesy. Members shall be courteous to each other and to the public. Members shall be tactful in the performance of their duties, shall control their tempers, and exercise the utmost patience and discretion, and shall not engage in argumentative discussions even in the face of extreme provocation. In the performance of their duties, members shall not use violent, profane or insolent language or gestures, and shall not express any prejudice concerning race, religion, politics, national origin, sexual orientation, lifestyle or other personal characteristics.

(4) Identification. Members shall carry their badges and identification cards on their persons at all times, except when impractical or dangerous to their safety or to an investigation. They shall furnish their name and badge number to any person requesting that information, when they are on duty or when holding themselves out as having an official capacity, except when the withholding of such information is necessary for the performance of police duties or is authorized by proper authority.

(5) Personal Appearance.

a) Members on duty shall wear uniforms or other clothing in accordance with established departmental procedure.

b) Except when acting under proper and specific orders from a superior officer, members on duty shall maintain a neat, well-groomed appearance and shall style their hair according to departmental procedure.

(6) Conformance to Laws.

a) Members shall obey all laws of the United States and the laws of any state and local jurisdiction in which the member is present.

b) A conviction for the violation of any law shall be prima facie evidence of a violation of this section.

(7) Insubordination. Neglect or Disobedience of Orders. Members shall promptly obey any lawful orders of a superior or commanding officer. This will include orders relayed from a superior officer by an officer of the same or lesser rank.

Elements. Neglect or disobedience of orders.

(a) That there was in effect a certain lawful order or regulation;

(b) That the accused had a duty to obey it; and

(c) That the accused violated or failed to obey the order or regulation.

(8) Conflicting or Illegal Orders.

a) Members who are given an otherwise proper order which is in conflict with a previous order, rule, regulation or directive shall respectfully inform the superior officer issuing the conflicting order. If the superior officer issuing the order does not alter or retract the conflicting order, the order shall stand. Under these circumstances, the responsibility for the conflict shall be upon the superior officer. Members shall obey the conflicting order and shall not be held responsible for disobedience of the previously issued order, rule, regulation or directive.

b) Members shall not obey any order which they know or should know would require them to commit any illegal act. If in doubt as to the legality of an order, members shall request the issuing officer to clarify the order. The member shall report the illegal order to the Chief or Deputy Chief. If the Chief or Deputy Chief issued the illegal order, then the member shall report the illegal order to a member of the Commission.

(9) Dissemination of Information. Members shall treat all official information received in the performance of their duty (whether on duty or off duty) as confidential. Official information shall be disseminated to those for whom it is intended as set forth in departmental procedure. Members may not remove or copy any official records except as provided by departmental procedure. Members may not divulge the identity of persons giving confidential information except as authorized by proper authority.

(10) Possession and Use of Alcohol.

a) Members shall not possess or consume intoxicating liquors of any kind while on duty or in uniform. In the event of a special investigation or undercover work, this rule may be waived by the Chief of Police, to the extent that drinking intoxicating liquor may be permitted, but never to the extent of intoxication in such an assignment. [Amended June 12, 2006]

b) Members shall not appear for duty, or be on duty, while under the influence of intoxicating beverages to any degree whatsoever, or with an odor of intoxicating beverages on their breath or person.

(11) Use of Alcohol While Off Duty. Members, while off duty, shall refrain from consuming intoxicating beverages to the extent that it results in impairment, intoxication, or obnoxious or offensive behavior which discredits them or the

Department, or renders the member unfit to report for their next regular tour of duty.

(12) Alcoholic Beverages and Drugs in Municipal Buildings. Members shall not store or bring into any public facility, building or vehicle, alcoholic beverages, controlled substances, narcotics or hallucinogens except those items that are to be held as evidence.

(13) Possession and Use of Drugs. Members shall not possess or use any controlled substances, narcotics, or hallucinogens except where the member is being treated by a physician or dentist, who has prescribed the drug. If a member is under a physician's care and being treated with any of the above, the member shall immediately notify his commanding officer.

(14) Leaving Duty Post or Absence Without Leave. Members shall not leave their assigned duty post during a tour of duty except when authorized by proper authority.

Elements. Absence without leave.

- (a) That a certain authority appointed a certain time and place of duty for the accused;
- (b) That the accused knew of that time and place; and
- (c) That the accused, without authority, failed to go to the appointed place of duty at the time prescribed, or went from the appointed place of duty after having reported at such place.

(15) Neglect of Duty.

Elements: Neglect of duties

- (a) That the accused had certain duties;
- (b) That the accused knew or reasonably should have known of the duties; and
- (c) That the accused was (willfully) (through neglect or culpable inefficiency) derelict in the performance of those duties.

Explanation of neglect of duties

- (a) Duty. A duty may be imposed by statute, regulation, lawful order, or standard operating procedure.
- (b) Knowledge. Actual knowledge of duties may be proved by circumstantial evidence. Actual knowledge need not be shown if the individual reasonably should have known of the duties. This may be

demonstrated by regulations, training or operating manuals, or testimony, testimony of persons who have held similar or superior positions, or similar evidence.

(c) Derelict. A person is derelict in the performance of duties when that person willfully or negligently fails to perform that person's duties or when that person performs them in a culpably inefficient manner. "Willfully" means intentionally. It refers to the doing of an act knowingly and purposely, specifically intending the natural and probable consequences of the act. "Negligently" means an act or omission of a person who is under a duty to use due care which exhibits a lack of that degree of care which a reasonably prudent person would have exercised under the same or similar circumstances. "Culpable inefficiency" is inefficiency for which there is no reasonable or just excuse.

(d) Ineptitude. A person is not derelict in the performance of duties if the failure to perform those duties is caused by ineptitude rather than by willfulness, negligence, or culpable inefficiency, and may not be charged under this article, or otherwise punished.

(16) Fictitious Illness or Injury Reports. Members shall not feign illness or injury, falsely report themselves ill or injured, or otherwise deceive or attempt to deceive any official of the City as to the condition of their health.

(17) Sleeping on Duty. Members shall remain awake while on duty. If unable to do so, they shall report to their commanding officer, who shall determine the proper course of action.

(18) Meals. Members shall be permitted to suspend patrol or other assigned activity, subject to immediate call at all times, for the purpose of taking meals during their tour of duty, but only for such period of time, and at such time and place, as established by departmental procedure.

(19) Unsatisfactory Performance. Members shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Members shall perform their duties in a manner which will maintain the highest standards of efficiency in carrying out the function and objectives of the Department. Unsatisfactory performance may be demonstrated by a lack of knowledge of the applications of laws required to be enforced; an unwillingness or inability to perform assigned tasks; the failure to conform to work standards established for the member's rank, grade, or position; the failure to take appropriate action on the occasion of crime, disorder, or other condition deserving police attention; or absence without leave. In addition to other indicia of unsatisfactory

performance, the following will be considered prima facie evidence of unsatisfactory performance:

- a) Repeated poor evaluations;
- b) Written record of repeated infractions of rules, regulations, directives or orders of the Department.

(20) Off Duty Employment.

a) Members may engage in off duty employment subject to the following limitations:

(i) such employment shall not interfere with the member's employment with the Department;

(ii) members shall submit a written request for off-duty employment to the Chief, who shall determine whether the member may engage in off duty employment;

(iii) members shall not engage in any employment or business involving bail bond agencies, any work for private investigative agencies, private guard services, collection agencies or attorneys without the written consent of the Chief.

b) Approval of off duty employment may be denied by the Chief where it appears that:

(i) the member will be unavailable during an emergency;

(ii) the member will be physically or mentally exhausted to the point that his performance may be affected;

(iii) the member will require special consideration in scheduling of his regular duty hours; or

(iv) the member will bring the Department into disrepute or impair the operation or efficiency of the Department or its members.

(21) Use of Tobacco. Members, when in uniform, may use tobacco as long as:

a) they are not in a formation;

b) they do not have to leave their assignment or post for the sole purpose of doing so;

c) they are not engaged in traffic direction and control; or

d) they are not in an area, public or private, that prohibits smoking.

When they are in direct contact with the public, members must obtain permission to use tobacco from the public with whom they are in direct contact.

(22) Gifts, Gratuities, Bribes or Rewards. Members shall not solicit or accept from any person, business, or organization any gift (including money, tangible or intangible personal property, food, beverage, loan, promise, service, or entertainment) for the benefit of the member or the Department if it may reasonably be inferred that the person, business, or organization

a) seeks to influence action of an official nature or seeks to affect the performance or nonperformance of an official duty;

b) has an interest which may be substantially affected directly or indirectly by the performance of an official duty.

(23) Abuse of Position.

a) Members shall not use their official position, official identification card or badge for

(i) personal or financial gain;

(ii) obtaining privileges not otherwise available to them except in the performance of duty;

(iii) avoiding consequences of illegal acts.

b) Members shall not authorize the use of their name, photograph or official title which identifies them as an officer, in connection with testimonials or advertisements of any commodity or commercial enterprise, without the approval of the Chief.

(24) Endorsements and Referrals. Members shall not recommend or suggest in any manner, except in the transaction of personal business, the employment or procurement of a particular product, professional or commercial services (e.g. attorney, ambulance, towing service, bondsman, mortician, etc.). In case of ambulance or towing services, when such service is necessary and the person needing the service is unable or unwilling to procure it or request assistance, members shall proceed in accordance with established departmental procedure.

(25) Citizen Complaints. Members shall courteously and promptly record in writing any complaint made by a citizen against any member or the Department. Members may attempt to resolve the complaint, but shall never attempt to dissuade any citizen from filing a complaint against any member or the Department. Members shall follow established departmental procedure for processing complaints.

(26) Request for Assistance. When any person applies for assistance or advice, or makes a complaint or report, either by telephone or in person, all pertinent information shall be obtained in an official and courteous manner and will be properly and judiciously acted upon consistent with established departmental procedure.

(27) Personal Associations. Members shall avoid regular or continuous association or dealings with persons who they know, or should know, are persons under criminal investigation or indictment, or who have a reputation in the community or the Department for present involvement in illegal and criminal behavior, except as necessary to the performance of official duties, or where unavoidable because of personal relationship.

(28) Visiting of Prohibited Establishments. Members shall not knowingly visit, enter or frequent any establishment wherein the laws of the United States, the state or local jurisdiction are regularly violated, except in the performance of duty or while acting under proper and specific orders from a superior officer.

(29) Gambling. Members shall not engage or participate in any form of illegal gambling at any time, except in the performance of duty or while acting under proper or specific orders from a superior officer.

(30) Public Statements and Appearances. Members shall not publicly criticize or ridicule the Department, its policies or other members, by speech, writing or other expression, where such speech, writing or other expression is defamatory, obscene, unlawful, undermines the effectiveness of the Department, interferes with the maintenance of discipline or is made with reckless disregard.

Members shall not address public gatherings, appear on radio or television, prepare articles for publication, act as correspondent to a newspaper or a periodical, release or divulge investigative information, or any other matters of the Department while holding themselves out as representing the Department in such matters without proper authority. Members may lecture on "police" or other related law enforcement subjects only with the prior approval of the Chief.

(31) Reporting Illness or Injury. In case of illness or injury, members must report the facts to their commanding officer without delay.

(32) Surrender of Property. Members who are dismissed or resign shall immediately surrender to the Chief all equipment owned by the City and the Department.

(33) Accident Reports Affecting the City. Members shall make a complete detailed report of all accidents or personal injuries which may result in a lawsuit against the City.

(34) Police Auction. Members shall not be allowed, directly or indirectly, to purchase goods sold at any auction held by the Department.

(35) Report of Stolen or Damaged Property. Members shall immediately report to their shift commander lost or damaged property owned by the City or the Department.

(36) Labor Activity.

a) Members shall have the right to join labor organizations, but nothing shall compel the Department to recognize or to engage in collective bargaining with any such labor organizations except as provided by law or directed by the Mayor.

b) Members shall not engage in any strike against the City or Department.

(37) Payment of Debts. Members shall not undertake any financial obligations which they know or should know they will be unable to meet, and shall pay all debts when due. An isolated instance of financial irresponsibility will not be grounds for discipline, except in the unusual or severe cases. Repeated instances of financial difficulty may be cause for disciplinary action. Voluntarily filing a petition for bankruptcy relief is not a cause for discipline. Members shall not co-sign or act as surety for any debt of a superior officer.

(38) Telephone Service. Members shall have telephone service and shall immediately report any changes of telephone numbers or addresses to their superior officer or any other person as may be appropriate.

(39) Intervention.

a) Members shall not interfere with cases being handled by other officers or by any other governmental agency, unless:

(i) ordered to intervene by a superior officer; or

(ii) the intervening officer believes, beyond a reasonable doubt, that a manifest injustice would result from failure to take immediate action.

b) Members shall not undertake any investigation or other official action not part of their regular duties without obtaining permission from their commanding officer unless the situation requires immediate police action.

(40) Departmental Reports. Members shall submit all necessary reports on time and in accordance with established departmental procedure. Reports submitted by members shall be truthful and complete, and no member shall knowingly enter or

cause to be entered any inaccurate, false or improper information, or withhold information from the Prosecuting Attorney or from any court.

(41) Processing Property and Evidence. Property or evidence which has been discovered, gathered or received in connection with departmental responsibilities will be processed in accordance with established departmental procedure. Members shall not convert to their own use, manufacture, conceal, falsify, destroy, remove, tamper with or withhold any property or evidence in connection with an investigation or other police action, except in accordance with established departmental procedure.

(42) Abuse of Process. Members shall not make false accusations of a criminal or traffic charge.

(43) Use of Department Equipment. Members shall utilize the Department's equipment for its intended purpose only, in accordance with established departmental procedure, and shall not abuse, damage or lose Department equipment. All Department equipment issued to members shall be maintained in proper repair.

(44) Operating Vehicles. Members shall operate official vehicles in a careful and prudent manner with due regard, obeying all laws and all departmental orders pertaining to such operation. Loss or suspension of any driving privileges shall be reported to the member's commanding officer immediately.

(45) Firearms. Members shall carry firearms in accordance with federal, state and local laws and established departmental procedure.

(46) Truthfulness. Upon the order of the Chief or a superior officer, members shall truthfully answer all questions asked of them which are specifically directed and narrowly related to the scope of employment and operation of the Department.

(47) Use of Truth Verification and Medical Examinations, Photographs and Lineups.

- a) Upon the order of the Chief, members shall submit to truth verification examinations which are specifically directed and narrowly related to a particular internal investigation being conducted by the Department. Whenever a complaint from a citizen is the basis for the investigation, the matter is noncriminal, and no corroborating information has been discovered, members shall not be required to submit to a truth verification examination unless the citizen also submits to a truth verification examination which is specifically directed and narrowly related to the complaint.

b) Upon the order of the Chief, members shall submit to any medical, ballistic, chemical, photographic, lineup or any other examination or test. All procedures carried out under this subsection shall be specifically directed and narrowly related to a particular investigation being conducted by the Department.

(48) Disclosure of Personal Information. Upon the order of the Chief, members shall submit financial or other personal information statements in accordance with departmental procedures. The order for disclosure shall only be given in connection with a complaint in which this information is material to an investigation.

(49) Treatment of Persons in Custody. Members shall not mistreat persons who are in their custody. Members shall handle such persons in accordance with federal, state and local laws and departmental procedure.

(50) Use of Force. Members shall not use more force in any situation than is reasonably necessary under the circumstances. Force shall be used only in accordance with federal, state or local laws and the Department's "Use of Force" policy.

(51) Use of Weapons. Members shall not use or handle weapons in a careless or imprudent manner. Weapons shall be used only in accordance with federal, state or local laws and departmental procedure.

(52) Arrest, Search and Seizure. Members shall not make any arrest, search or seizure which they know or should know is not in accordance with any federal, state or local law or departmental procedure.

(53) Political Activity.

a) Subject to Section b, members shall be permitted to:

(i) register and vote in any election;

(ii) express opinions as individuals, privately and publicly, on political issues and candidates;

(iii) attend political conventions, rallies, fund raising functions and similar political gatherings;

(iv) sign political petitions as individuals;

(v) make financial contributions to political organizations;

(vi) hold membership in a political party and participate in its functions to the extent consistent with federal, state and local law and with the rules and regulations set forth in this section;

(vii) otherwise participate fully in public affairs, except as provided by law, to the extent that such endeavors do not impair the neutral and efficient performance of official duties, or create real or apparent conflicts of interest.

b) Members are prohibited from:

(i) using their official capacity on the Police Department to influence, interfere with or affect the results of an election;

(ii) serving as paid election officials;

(iii) engaging in any political activity while on duty and/or in uniform;

(iv) posting or delivering any campaign materials in City property;

(v) seeking or accepting campaign funds from subordinates.

c) Pursuant to IC 36-8-3-12, members may:

(i) be candidates for elective office and serve in that office if elected;

(ii) be appointed to any office and serve in that office if appointed;

(iii) as long as they are not in uniform and not on duty, solicit votes and campaign funds and challenge voters for the office for which they are candidates.

(54) Immoral Conduct. Members shall maintain a level of moral conduct in their personal and business affairs, which is in keeping with the highest standards of the law enforcement profession. Members shall not participate in any incident involving moral turpitude, which impairs their ability to perform as law enforcement officers, or causes the Department to be brought into disrepute.

(55) Examination by Police Physician. Members may be required to submit to an examination by a physician chosen by the Chief when the Chief determines that a member's physical or mental condition may adversely affect the member's ability to perform his duties. The physician shall submit a report to the Chief with his findings regarding the member's physical and mental condition.

PMC Article IV Discipline.pdf

ARTICLE IV

DISCIPLINE

ARTICLE IV - DISCIPLINE

The purpose of this Article is to supplement the disciplinary action the Police Merit Commission may take as set forth in I.C. 36-8-3.5-17 through 19.

A. Offenses Which Require Disciplinary Action.

(1) Offenses. I.C. 36-8-3.5-17(b) states that disciplinary action may be taken for the following offenses:

- a) conviction of a crime;
- b) neglect of duty: This offense is defined in Article III.E.(15) of these rules and regulations;
- c) neglect or disobedience of orders: This offense is defined in Article III. E. (7) of these rules and regulations;
- d) continuing incapacity;
- e) absence without leave: This offense is defined in Article III.E.(14) of these rules and regulations;
- f) immoral conduct: This offense is defined in Article III.E.(54) of these rules and regulations;
- g) conduct injurious to the public peace or welfare;
- h) conduct unbecoming a member: This offense is defined in Article III.E.(1) of these rules and regulations.
- i) furnishing information to an applicant for appointment or promotion that gives that person an advantage over another applicant; or
- j) a finding of a breach of the rules of conduct as set forth in Article III of these Rules and Regulations.

B. Disciplinary Action by the Commission. Pursuant to I.C. 36-8-3.5-17(a), the Commission may take the following disciplinary action against a regular member of the department:

- (1) Actions Available.
- a) Suspension with or without pay;
 - b) Demotion; or
 - c) Dismissal;

(2) Remuneration. If a member is suspended, that member is entitled to the member's remuneration and allowances for insurance benefits to which the member was entitled before the suspension. In the event the City of West Lafayette is providing other fringe benefits to the suspended member, the City may continue to provide those benefits. The Commission shall determine if a member who is suspended in excess of five (5) days shall continue to receive the member's salary during the suspension.

(3) Fair Administration. All discipline shall be administered firmly, promptly, fairly and judiciously. In no event shall personal bias or discrimination affect the handling of disciplinary matters.

C. Procedures for Disciplinary Action. Pursuant to I.C. 36-8-3.5-17(c), the procedure for charging a member with a violation of this Article IV(A) is as follows:

(1) Charges and Hearing. If the Chief, after an internal investigation, prefers charges against a member for an alleged breach of departmental rules and regulations (including any civilian complaints for an alleged breach of Subsections (A)(1)(f), (A)(1)(g) or (A)(1)(h)), a hearing shall be conducted AT THE REQUEST OF THE MEMBER CHARGED.

a) Within five (5) days of requesting a hearing, the parties (being the officer charged and the Chief of police) may designate, by agreement, a hearing officer. Said hearing officer must be qualified by education, training or experience.

b) If the parties do not agree with this five (5) day period, the Commission may hold the hearing.

c) The Commission may, in its discretion, designate a person or board, who is qualified by education, training, or experience, to conduct the hearing. Such person or board may not be in an upper level policy making position.

d) The hearing must be held within thirty (30) days of the member's request. Continuations of the hearing may be granted by the Commission for good cause.

e) If the member fails to request a hearing within five (5) days of the charges being preferred, the Commission shall review the findings of the Chief and take disciplinary action against the member under Section B(1).

(2) Notice. Notice of a hearing shall be in writing and served upon the member charged either by personal service or by leaving a copy of the notice at the member's last and usual place of residence. The notice shall be given at least fourteen (14) days prior to the date set for the hearing.

- a) The notice must state the following:
 - (i) the time and place of the hearing;
 - (ii) the charges against the member;
 - (iii) the specific conduct that comprises the charges;
 - (iv) that the member is entitled to be represented by counsel or another representative of the member's choice;
 - (v) that the member is entitled to call and cross-examine witness;
 - (vi) that the member is entitled to require the production of evidence; and
 - (vii) that the member is entitled to have subpoenas issued, served, and executed.
- b) The Commission may:
 - (i) compel the attendance of witnesses by issuing subpoenas;
 - (ii) examine witnesses under oath; and
 - (iii) order the production of books, papers, and other evidence by issuing subpoenas.

(3) Refusal to Cooperate. If a witness refuses to appear at the hearing after receiving written notice requiring his attendance, or refuses to produce evidence that the Commission requests by written notice, the Commission may file an affidavit in the Tippecanoe Circuit Court setting forth the facts of the refusal. The Judge of the Tippecanoe Circuit Court shall issue a summons for service by the Sheriff of Tippecanoe County requiring the appearance of the witness or the production of information or evidence.

a) Contempt. Disobedience of the summons constitutes contempt of the Tippecanoe Circuit Court. Expenses for the filing of the affidavit and issuance of the summons shall be charged to the witness, unless the Court finds that the witness acted in good faith and with reasonable cause. Otherwise all expenses shall be charged to the Commission.

(4) Burden of Proof. Any decision to discipline a member shall be made only if the preponderance of the evidence presented at the hearing indicates such course of action.

(5) Review. In the event a hearing was conducted by a hearing officer or board, other than the Commission, the member may appeal any decision by said hearing officer or board to the Commission within ten (10) days of the decision. The Commission may then affirm, modify, or reverse the decision based upon the record and any oral or written testimony (including additional or newly discovered evidence) that the commission determines.

(6) Records of Hearings. The Commission (including any hearing officer or board) shall keep a record of any disciplinary proceedings. The Commission shall give a free copy of the transcript to the member upon request if an appeal is filed.

D. Summary Discipline.

(1) Actions of Chief. Pursuant to I.C. 36-8-3.5-19, the Chief may, without a hearing, choose to summarily discipline a member, which discipline may include an oral reprimand, a reprimand in writing, or suspend without pay for a maximum of five (5) working days. One (1) day shall be equal to eight (8) hours of paid time.

(2) Commission Notification. If the Chief reprimands a member in writing or suspends a member, then, within forty-eight (48) hours, the Commission shall be notified in writing of the following:

- a) member's name;
- b) member's rank;
- c) discipline imposed;
- d) the reasons for the discipline imposed.

(3) Review Request. A member who is reprimanded or suspended may request, in writing, within forty-eight (48) hours of notification of the summary discipline, that the Commission review the summary discipline. The Commission may either affirm or reverse the Chief's decision.

(4) Hearing on Summary Discipline. The Commission may hold a hearing, at its discretion, to review the Chief's summary disciplinary actions. If a hearing is held, the Commission shall give the member written notice of the hearing either by personal service or by leaving a copy of the notice at the member's last and usual place of residence. The notice shall be given at least fourteen (14) days before the date set for the hearing and shall contain all of the provisions of Subsection C (2) above.

(5) Back Wages. If the Commission reverses the actions of the Chief, the member who was suspended is entitled to any wages withheld as a result of the suspension.

E. Appeals to the Court. Pursuant to I.C. 36-8-3.5-18, a member has the following rights with regard to a decision of the Commission:

(1) Right of Appeal. If a member is suspended for more than ten (10) calendar days, demoted, or dismissed by the Commission, that member may

appeal the Commission's decision to the Circuit or Superior Court of Tippecanoe County.

(2) Indiana Trial Rules. All appeals to the court shall be filed according to the Indiana Rules of Court except:

a) the appeal must be verified and filed within thirty (30) days of the Commission's decision;

b) the City of West Lafayette shall be the sole defendant;

c) the City of West Lafayette is assumed to deny all allegations and does not need to file a responsive pleading;

d) the member must file a bond at the time of filing the appeal conditioned on the member prosecuting the appeal to a final determination and paying the court costs incurred in the appeal;

e) the Commission shall file a transcript of all papers, entries, and other parts of the record relating to the case within thirty (30) days after service of summons.

(3) Priority. The appeal shall take precedence over other litigation pending before the court.

F. Precedence. In the event Indiana statute is in conflict with any rules of the Commission, the Indiana statute shall take precedence.

PMC Article VI Merit Awards.pdf

ARTICLE VI

MERIT AWARDS

ARTICLE VI – MERIT AWARDS

The purpose of this Article is to establish the system whereby members of the West Lafayette Police Department may be recognized and commended for meritorious service. West Lafayette Police Department sworn officers as well as civilian personnel are eligible for recognition through this merit awards system.

A. Merit Awards. Merit awards in the following categories may be awarded:

(1) Gold. Gold awards are for actions above and beyond the call of duty, in the face of certain and imminent danger to life and limb. Awards at this level are reserved for those acts that are performed in the course of a dangerous incident to save and/or protect the life of a colleague or citizen without regard of self. These acts often result in great cost when performed, including the loss of life. Recipients shall display the highest level of professionalism, competence, leadership, and clear thinking throughout the dangerous incident whether these actions are performed while on or off duty.

(2) Silver. Silver awards are for actions above and beyond the call of duty that disregard the potential danger to self. Actions in this category are of a lesser nature than actions required to be recognized by a Gold award.

(3) Bronze. Bronze awards are for actions above and beyond the call of duty. Actions in this category are of a lesser nature than actions required to be recognized by a Silver award.

(4) Additional Awards.

a) Injury on Duty. For injury sustained while in direct performance of the officer's duty to the public which requires hospitalization. The injury must be sustained while making an arrest, patrolling, or performing a service directly to the public.

b) Good Conduct. For four consecutive years of good conduct.

c) Safe Driving. For four consecutive years without a chargeable official vehicle traffic accident.

d) Educational. For completion of a college degree while an employee of the West Lafayette Police Department or 1100 hours of certified police training.

e) Exceptional Service. For any act judged to be exceptional in nature. This may be a single arrest, an investigation, or a series of arrests, programs, or functions at an exceptional level.

f) Officer of the Quarter. For outstanding achievement throughout a calendar quarter that brings credit to the Police Department and which involves

performance well above and beyond that required by an officer's basic assignment.

g) Officer of the Year. For outstanding achievement throughout the year that brings credit to the Police Department and which involves performance well above and beyond that required by an officer's basic assignment.

h) Unit/Shift Citation. For sworn members of a Unit/Shift who exhibit exceptional professional skill and conduct during a coordinated law enforcement initiative.

i) West Lafayette Police Department Distinguished Citizen's Award. For a citizen who at grave and imminent personal danger provides extraordinary service to the West Lafayette Police Department or substantially assists in the apprehension of a criminal.

j) West Lafayette Police Department Citizen's Award. For citizens or organizations who have aided the West Lafayette Police Department.

- B. Group Awards. Gold, Silver, or Bronze awards may be awarded as a group award in situations involving multiple officers whose individual roles cannot be measured or weighted against the actions of other officers involved in the incident. Rather, it is for those officers who, acting in concert with each other, display a high level of teamwork in controlling a disturbance or bringing an incident under control.
- C. Recommendation for an Award. Any employee of the Police Department may submit a nomination for any award, except Officer of the Quarter and Officer of the Year which shall be nominated by the member's shift supervisor. The nomination should fit the outlined criteria. The Police Department shall develop a standard nomination form for approval by the Commission.
- D. Awards Board. The Chief of Police or his designee shall chair the Awards Board. Other members of the Awards Board, appointed by the Chief, shall include one of the Patrol Lieutenants, the Criminal Investigation Division Lieutenant, one of the Patrol Sergeants, and the Criminal Investigation Division Sergeant. One of the Police Merit Commissioners, appointed by the Commission President, shall also serve on the Awards Board. Members of the Awards Board shall be appointed when this amended article takes effect and each January.
- E. Awards Processing. Recommended awards shall be submitted to the Awards Board for review and processing. All members of the Awards Board shall be in attendance for awards processing. The Awards Board shall meet as required. The decision as to whether a member's service warrants a merit award and the degree of commendation is a matter of judgment and shall be the responsibility of the Awards Board. The Awards

Board in its deliberations should consider the application of one or more of the following attributes by the member recommended for an award:

Attention to detail	Exemplary performance	Persistence
Courage	Fast thinking	Physical dexterity
Courtesy	Good judgment	Professionalism
Dedication	Ingenuity	Steadfastness
Diligence	Imagination	Sustained performance
Efficiency	Investigative proficiency	Tact
Endurance	Leadership	Teamwork

- F. Awards Approval. A majority vote of the Awards Board is required for approval of all awards. In addition to the approval of the Awards Board, a majority vote of the Police Merit Commission is required to award a Gold, Silver, or Bronze Merit Award.
- G. Commendations by the Chief. The Chief is authorized to issue letters of commendation for meritorious performance of a lesser nature than that outlined in this article. Copies of such letters of commendation shall be provided to the Commission so that they may be entered into the record.
- H. Award Commendation. The award commendation shall include:
- (1) Citation. A citation of the facts of the action shall be set forth at the time the recipient is commended. Citations shall be entered into the record of the Commission and made a part of the recipient's personnel record. Commendations should also be noted in the member's performance rating for the period in which the commendation was received.
 - (2) Certificate. A citation certificate, suitable for framing, shall be given to the recipient. The certificate should be delivered to the recipient at an appropriate ceremony in the presence of fellow members of the West Lafayette Police Department.
 - (3) Recognition Bar. For members who receive a Gold, Silver, or Bronze award, the member shall receive a Merit Recognition Bar.
- I. Retroactive Awards. Awards authorized by this article may be made retroactive to the date of employment provided the award criteria can be documented.

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ARTICLE V
PROMOTIONS

ARTICLE V - PROMOTIONS

The purpose of this Article is to adopt, promulgate, supervise and enforce rules and regulations that will govern promotions of members of the Police Department.

A. Factors Governing Promotions.

(1) **Factors.** The following four factors shall be used for rating a member below the rank of Deputy Chief for the purpose of promotion:

- a) the scores received by a member on a written competitive promotional examination;
- b) the performance record of a member as hereinafter defined;
- c) the number of years of service as a member;
- d) the performance on the oral competitive interview.

B. Selection for Eligibility for Promotion.

(1) **Composite Points for Sergeant, Lieutenant or Captain.** Any member who desires to be placed on an eligibility list for promotion to a rank of Sergeant, Lieutenant or Captain shall be qualified as to rank and length of service as set forth below. The weight given to the factors set forth in Section A above shall be as follows:

- a) Thirty percent (30%) for a written competitive promotional examination, based upon the most recent results of a written promotional examination administered within the past two (2) years;
- b) Forty percent (40%) for the average of the last 6 performance ratings prior to the date an eligibility list is created;
- c) Ten percent (10%) for length of service calculated to the date the date an eligibility list is created;
- d) Twenty percent (20%) for the oral competitive interview administered when there is eligibility for promotion.

(2) Other Qualifications for Promotion.

- a) All promotions to any rank shall be from the next immediate lower rank without regard to division.
- b) Members who are eligible to take the promotional exam are only those members who, at any time during the calendar year in which the member takes the promotional exam, have been or will become members for a minimum of three (3) years.

c) The member being promoted must have served at the lower rank for a minimum of two (2) years, except for Sergeant, in which case the member must have served at the lower rank for a minimum of three (3) years.

d) However, the two-year minimum in-service requirement for Lieutenant and Captain may be waived on a case-by-case basis if the Commission finds particular circumstances exist which make the requirement contrary to the best interest of the Police Department.

C. Eligibility List.

When a vacancy occurs, the Commission shall establish an eligibility list for promotion. The eligibility list for a position consists of members who have been placed on the list in the order of their cumulative score on all rating factors as set forth above in Section B(1). The eligibility list shall be maintained for two (2) years from the date of certification, after which time the list shall be retired and a new list established. The retired list shall be kept for five (5) years and then destroyed. [Revised 4/14/2014]

D. Written Competitive Promotional Examinations.

(1) Written Exam. A written competitive promotional examination shall be given to those eligible members seeking to be promoted to the rank of Sergeant, Lieutenant, or Captain. The examination shall be given annually in February. The results of the examination are valid for two (2) years from the date of the examination. Members may take the examination each year; however, the score from the most recent examination shall be used in calculating the score for the eligibility list. The Commission shall notify the members of the written materials from which the questions will be taken. The Commission may employ instructors, purchase materials, and make other expenditures to provide information for those taking the examination. Members seeking promotion will sign up for the examination in the City of West Lafayette Human Resources Office. Study guide materials may be loaned to individuals who sign up for the examination.

(2) Grading. The grading of the examination shall be graded on the basis of one hundred percent (100%) for a perfect score. Such score shall then be converted to the thirty percent (30%) factor as used for determining composite points for promotion.

(3) Administration. Preparation and grading of the written promotional examinations shall be under the administration of the Commission. In no event shall the persons grading the examinations be permitted to know the names of the member who has written the examination which is being graded. The Commission shall keep all written examinations confidential.

(4) Notification of Score. After the exams are scored, the Commission shall notify each member in writing of the score received on the examination. Said score

shall become a part of the permanent file of the member. The member is entitled to access his file at any time.

(5) Commission Supervision. The examination papers shall be kept under the Commission's supervision.

(6) Appeal of Score. A member who disagrees with his score on the written examination may appeal to the Commission for review of the score.

a) The member must file the appeal within ten (10) days after the date the Commission sends the score to him.

b) The member may review the test questions which were incorrectly answered by him and challenge the answers considered correct by the test examiner.

c) The Commission shall either affirm the score or correct the score according after a review of the findings.

(7) Retention of Exams. The examination papers shall be retired after the two (2) year period for which the eligibility list is valid. The retired examinations shall be retained for five (5) years and then destroyed.

E. Oral Competitive Interviews with the Commission. The Commission shall interview members seeking promotion after they have taken the written examination. The interviews shall be completed prior to the end of April.

(1) Interview Calculation. The interview shall be graded on the basis of twenty (20) points for a perfect score. The member's score shall then be used in calculating the score for the eligibility list.

F. Performance Ratings.

(1) Ratings Procedure. Performance ratings shall be made every six (6) months for each member below the rank of Deputy Chief. The performance rating shall be conducted by the member's superior and reviewed by the commanding officer of the member. The performance rating shall be submitted to the Chief and kept on file permanently in his office. The Chief shall notify each member of their rating in writing.

a) The Commission shall determine the form to use for performance ratings;

b) If a member is aggrieved with the performance rating, the member shall have the right to appeal to the Commission for a review of the rating within ten (10) days after notice of the rating;

c) The Commission, after reviewing the rating, shall have the authority to affirm or change the rating.

(2) Rating Calculation. The past performance ratings to be used for eligibility for promotion of a member shall be the arithmetic average for the member's last six (6) performance rating scores received at any rank. Such score shall then be converted to the forty percent (40%) factor as used for determining composite points for promotion.

G. Length of Service Score.

(1) Seniority Calculation. Seniority scores shall be calculated to the date of the certification of the eligibility list at the rate of one (1) point for each year served on the department for promotion to the ranks of Sergeant, Lieutenant and Captain. No points are given for less than a full year served.

(2) Military Service. Military service, while on leave from the Department, shall be included in the seniority score.

(3) Maximum Seniority Score. The maximum possible score for seniority shall be twenty (20) points for promotion to the ranks of Sergeant, Lieutenant and Captain. Such score shall then be converted to the ten percent (10%) factor as used for determining composite points for promotion.

H. Eligibility for Promotion.

(1) Vacancy. When a vacancy in rank occurs, the Commission shall certify, in writing, to the Chief, the members having the three highest scores on the eligibility list for promotion to that rank

(2) Chief's Recommendation. Within six (6) months of receiving the certified names from the Commission, the Chief shall recommend one (1) of eligible members for promotion to the vacant rank.

(3) Promotion. Upon the recommendation of the Chief, the Commission shall promote the member to the vacant rank.

I. Probationary Period. All promotions shall be considered as probationary for a period not to exceed one (1) year from date of appointment.

(1) Review by Superior. At the end of the first year of probation, the probationary member's superior shall review the member's performance and recommend to the Commission that:

- a) the promotion be granted permanent status;
- b) the promotion be revoked.

- (2) Rating the Probationer. Probationary members shall be rated in the same manner as other members of the department. The Commission shall review the report and decide what action should be taken.
- (3) Review. The probationary member is entitled to appear before the Commission and be heard on any matter he considers detrimental in the report.
- a) The probationary member may be represented by counsel or another representative of his choice.
 - b) If the promotion is revoked, the member may not be returned to a rank lower than that he held before the promotion.
- J. Appeal. The member aggrieved by actions of the Commission, other than making the promotion permanent, may appeal those actions, within thirty (30) days of the action, to the Tippecanoe Circuit or Superior Court. The City of West Lafayette shall be the sole defendant in any appeal to the courts.
- K. Furnishing Information to Members Eligible for Promotion. A Commissioner who knowingly furnishes information to a member eligible for promotion that gives that person an advantage over another person commits a Class D felony.

Intern and Volunteer Forms -2023.pdf

West Lafayette Police Department
Student Intern/Volunteer Application

Name _____

Last	First	Middle
------	-------	--------

Present Address _____

Street	City	State	Zip	Telephone
--------	------	-------	-----	-----------

Home Address _____

Street	City	State	Zip	Telephone
--------	------	-------	-----	-----------

Do you understand If selected additional personal identifying information will be required for identification and security clearances. ☐ Yes ☐ No

Emergency Contact _____ Relationship _____

Have you ever been convicted of a crime other than a traffic offense? Yes No

If Yes explain _____

Will you submit to a background and criminal history check? ☐ Yes ☐ No

If yes please provide: DOB _____ Drivers License _____ SSN _____

School Attending _____

Major course of study _____

Advisor _____

Address _____ Telephone _____

Reason for volunteer/internship _____

Period requested from _____ to _____ Total hours required _____

_____ Date _____

Signature of applicant

Code of Conduct

Any student or volunteer who violates or commits any of the following breaches of conduct shall be subject to immediate dismissal.

1. Any illegal use of drugs. Any use of intoxicating beverages 12 hours prior to or during a scheduled shift
2. Uses, carries, or conceals any firearm or other type of weapon including baton, mace, or other like chemical device during scheduled visit.
3. Uses, carries or conceals any camera or recording device
4. Willful misconduct or failure to comply or carry out instructions of any supervising WLPD employee.
5. Releases or disseminates any information about any suspect, victim, officer or incident without written approval of the program supervisor.
6. An arrest will result in the student or volunteers dismissal.
7. Discourteous, insulting, abusive, or inflammatory language or conduct toward the public or WLPD employees.
8. Participates or is directly involved in any law enforcement function or activity unless so directed by their supervising officer(s) to prevent bodily harm to themselves or another.
9. Fails to maintain good hygiene or wear appropriate attire.
10. When so directed or required, fails to complete written statements, forms, or documents or withholds testimony.
11. Immorality, indecency, lewdness, or conduct that may tend to discredit WLPD.
12. Interferes in any manner or means with any law enforcement officer or the Social Service Crisis & Response Specialist in the performance of their duties.

I have read and understand the Code of Conduct. I agree to adhere to the Code of Conduct and all WLPD policies. I understand that any breach of the Code of Conduct or WLPD policy is cause for immediate dismissal from WLPD.

Signature

Date

Waiver of Liability

I have read, understand and have signed the WLPD Code of conduct. I agree to adhere to the regulations stated therein and those of the WLPD policy and procedure.

I hereby waive all right to claim damages against WLPD, City of West Lafayette, its officers, agent, servants and employees for any cause of action, which might arise, except gross negligence of said agency while I am participating with WLPD.

Applicants Name	Applicants Signature	Date
-----------------	----------------------	------

Witness Name	Witness Signature	Date
--------------	-------------------	------

Student Internship Contract

I, _____, majoring in

at _____

enter into an agreement with the West Lafayette Police Department to complete _____

hours of student internship.

I will be under the supervision of _____ and will observe the Code of Conduct all rules, policies and standards of the West Lafayette Police Department. I will carry out all the responsibilities assigned to me as a student intern.

Student Signature_____

WLPD Employee_____

Date_____

Student Intern Activity Log

Student Intern_____

[illegible]

INTERN EVALUATION

NAME _____ DATE _____

SHIFT _____

EVALUATING OFFICER _____

1. Was intern's dress appropriate? Y N

If No, Explain _____

2. Was intern punctual and prepared? Y N

Rate the following criteria on a scale of 1 (unsatisfactory) to 10 (excellent)

3. Did intern ask meaningful questions? 1 2 3 4 5 6 7 8 9 10

4. Was intern courteous and respectful? 1 2 3 4 5 6 7 8 9 10

5. Was intern's attitude positive? 1 2 3 4 5 6 7 8 9 10

6. Was intern attentive to task? 1 2 3 4 5 6 7 8 9 10

7. Would this intern be a good candidate to become an officer? Y N

Explain _____

8. Observations _____

West Lafayette Police
Department Policy Manual
Policy Manual

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